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THE RAILWAY SYSTEM OF THE WEST.

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"If there were to be no railroads, it was on the whole rather an impertinence in Columbus to discover America." The point is well taken by Gail Hamilton. The tide margins of the continent could provide for a belt of civilized homes, which navigation could encourage and utilize for the rest of the world, and steamers could do similar service along the banks of large rivers. All this, however, when best done, would leave the new world neglected in primitive nature. It might do for insular England, so threatened by salt water, but would not for Dakota, three times as large, and two thousand miles from the Atlantic Ocean.

In 1840 I had occasion to traverse somewhat the almost unbroken prairie country, stretching away, ocean like, from Chicago to Cairo. To the lone traveler in the saddle, with scant roads to guide or fences to check one, and a

point of timber here and there like a headland at sea, it was mostly *caelum undique et undique campus*. The lone-some farms furnished magnificent livings in grains and meats and vegetables, almost miraculous in the eyes of the immigrant from New England, where the very sure annual staples are rock and ice. Yet what was to be done with the "twelve baskets full of fragments" in Illinois? My friend in Sangamon county was feeding unthreshed wheat from the stack to his cattle and swine, rather than to thresh and haul it fifteen miles and get but twenty-five cents a bushel for it. Four years later it could command only that in Chicago. The lands loaded and drugged the market at a dollar and a quarter an acre, farm wages were ten to thirteen dollars per month and board. Surplus products were exchanged as oats twelve cents a bushel,

corn fifteen, beef and pork one and a half to two and a half cents a pound for store goods, and these were taken in exchange at about double their prices in the east. On the Iowa shore of the Mississippi, in 1841, 1842, 1843 we found a belt of settlements inland for perhaps fifteen miles, log and some board cabins and houses, with the staples of life easy and abundant and prices somewhat better than in Illinois interior. The Indian and the buffalo had the prices of land and of food supplies quite their own way throughout the most of the territory, as they did, till they heard the locomotive, over the river eastward. There lies before me the first map of Iowa ever published—1845. It shows thirty-one counties—there are now ninety-nine—clustering on the Mississippi between the Des Moines and the latitude of Prairie du Chien. About eighty towns are located on this map—Iowa now has fifteen hundred and seventy-eight post-offices—and the most of them within a day's ride of the river. Nine of the counties do not show one town. The state embraces about fifty-six thousand square miles, and it would be difficult to find the same amount of land in one body in the world that can furnish more cereal and flesh food for the human family. Yet at the time here named such was the condition of transportation between the east and the west, or between the supply and the world's market, that a bushel of wheat and an eastern letter were at the same cost in Iowa—twenty-five cents. The railroad had not then crossed the Mississippi. Now postage there is two cents and wheat from seventy

cents to a dollar. The railroad has arrived in Iowa—7478 miles of it.*

Illinois and Iowa are fair illustrations of all our western states prior to the introduction of the railroad system. They from the first had their princely wealth in the cereals and meats, as truly as in the mines, and each staple was awaiting equally development and a market. The wheat and the corn were in the loam, potentially and waiting, as really as the strata of coals and ores underneath. The great pine forests in Washington Territory were worth nothing, except enough for one house for a resident owner till he could have transportation.

"Trees six and seven feet in diameter and two hundred to two hundred and fifty feet high are very common, perhaps rarely out of sight in the forest in Washington Territory; eight feet in diameter and three hundred feet high are rare, but still not at all uncommon; the builder of the telegraph line had hitched his wire, in one case, to a cedar which is fourteen feet in diameter; a monster tree that had fallen—the forests are full of fallen trees—measured three hundred and twenty-five feet long, and another tree, at a distance of ninety feet from its root, was seven feet in diameter."†

An editor at Olympia informed the author in October, 1885, that they were preparing for the New Orleans exposi-

*Notes on Iowa Territory with a map. By Willard Barrows, United States deputy surveyor. Cincinnati, 1845.

†'Across the Continent.' By Samuel Bowles. 1865. P. 206.

tion a section from a Washington Territory tree nineteen feet in diameter.

The grains and meats and hides and ores and coals and timber and wool, have, practically, been waiting for their opportunity in the great North American west a thousand years. They were natural values, on deposit, without interest, and subject to draft for all the uses and profits of commerce. I was once offered very heavy timber land on the headwaters of the Connecticut for one dollar an acre, but only the bear and deer and myself seemed able to reach it. A railroad has since made it a piece of good property.

To state the case briefly, and then expand and illustrate it by items, the board of appraisers or of valuation for the United States consists of three, the highway, the canal, and the railroad. Each rises in valuation on all real estate and local products within accessible distances; the railroads mark highest and last. What is not appraised, as in central Wyoming, where the United States have not yet surveyed the lands, as not yet in demand enough to be put on the market, up in Alaska on the Yukon, or out on the Aleutian Islands, has no nominal value, that is, value which can be named. The timber and arable lands and fisheries and ores and furs have the same natural value which they would have in central New York, but to assign to them convertible and commercial worth this board of three United States appraisers must go on the ground and fix prices.

In early times our eastern vessels went around Cape Horn to California

for cargos of hides, and agents contracted for the ship load. "The number of cattle required might vary from a thousand to tens of thousands. In some instances they were corraled, and let out by tens and twenties, to be dispatched with sledges, or by other methods. In later years they were sometimes felled in large numbers by bullets, while grazing with the herd on the plains. The hides, tallow, horns and hanks were preserved; but the carcasses were left either in piles or scattered over the plains, to dry away and disappear under the scorching rays of the sun. . . .

The bones of the heads were sometimes used for the construction of fences around small lots in the vicinity of their dwellings. In one place, even to this day, there remains such a fence nearly two rods in length. The fence was of the thickness of two heads." Before the Missions were broken up by the government, the padres, anticipating the confiscation of both lands and live stock, slaughtered immense numbers of cattle. "It is estimated that in those three years there were sent from the Missions to the ports three hundred thousand hides with the tallow."*

But the railroad came in and appraised not only the hides and tallow and horns, but the beef and bones also, and even the hair, as worth transportation. After spending a month in 1885 on the ranches and ranges of Wyoming, the writer reads the above account from eastern California with commercial horror. 'Dana's Two Years Before the

* 'History of California.' By E. S. Capron. Boston, 1854, pp. 29-31.

Mast' furnishes a graphic detail of this incalculable waste on the Pacific coast, while that country was waiting for a government and our continental railways.

The expenses for doing business beyond the plains and on the Pacific Slope, before the Union and Central and the Northern and Southern Pacific roads were opened, left bulky goods, in the mountains and beyond, almost valueless to the east, while the necessities to be carried west were placed almost above price by the cost of transportation.

In 1849 packages, not exceeding fifteen pounds, were carried by Adams & Co. express from New York to San Francisco at the rate of seventy-five cents per pound. The charge was three dollars on an ordinary daguerreotype, and twelve dollars on a package the size of a common novel.

Julesburg is in Colorado, now a station on the Union Pacific, 139 miles east of Cheyenne. In 1864 there arrived at this shanty town, from the States, 3,574 wagons of freight, under guard of 4,258 men, and handled by 28,592 animals. At that date Holladay's Overland express had been under way two or three years—started on a capital of \$2,500,000—and this year it was employing, between the Missouri and the mountains, 15,000 men, 20,000 wagons, and 150,000 animals, on a capital of \$20,000,000. In 1864 it transported west 100,000,000 pounds of freight, and in 1865 double this amount, at a cost of fifteen cents to the pound. Bundles were charged seventeen cents a

pound for every hundred miles, and passengers paid from thirty to fifty cents a mile. Freights were from thirty-five to sixty days from the Missouri to Denver, while the stage made the same trip in six days. The next year, 1866, government paid this company \$735,000 for carrying the mail and other government matter.*

Indeed Governor Stanford of California did not lift too soon that first spadeful of earth for the Pacific railroad at Sacramento, in January, 1863. Yet this vast amount of merchandise, to be loaded and unloaded by human hands and hauled by animals, was as one solitary baggage wagon compared with what those prairie and mountain and Pacific roads are now doing.

The railroad makes it possible to utilize natural values and convert them into property, and thus swell and lengthen all the channels of commerce. This is more evidently true in our new country, where natural resources are so much more abundant than in the old colonial states, and cover immensely more area. The great staples of life have their prices fixed by the railroad. The blank schedule of grain and meats and wool and hides, and coals and ores, and timber and lumber, has its column of prices filled when the railroad comes in.

The Illinois lands were as rich and as susceptible of their immense burden of agricultural products in 1850 as they were in 1880. At the former date the state had 46,208 farms; at the latter,

* Overland Traction Engine Co. Report for 1865, p. 31.

255,741. A valid reason for both facts is not far to be found. It was not till 1842 that the Boston & Albany road was opened to the Hudson, and not till 1850 that the sill and strap rail was removed from the track between Schenectady and Utica. Why should wheat and beef, and pork be raised, and then stacked up in Illinois? It was not till 1851 that the cars could meet western products on Lake Erie, and not till 1853 that Chicago saw a locomotive. What call was there for more farms in Illinois in 1850? If she would ship her supplies east by the Mississippi and Ohio she must haul them over the Alleghanies on the Portage road, or store them three years at Wheeling, waiting for the Baltimore & Ohio railroad to open there in 1853. Illinois had had the first of prairie railroads in 1838, running from Meredosia to Springfield; but it proved a failure, and no wonder, for six inches of snow would stop its engine. General Semples afterward put tires two feet wide to the wheels of this locomotive, and attempted to run it here and there on the open prairie. The experiment was akin in wildness to the one with sails on the Baltimore & Ohio, and on the Charleston & Hamburg railroads in 1830. If memory be correct, this is the horse-power road in which we had some experience in the closing of 1840, when its bed was suggestive of the condition of the land, "standing out of the water and in the water," before Adam began to till it.

In 1880, Illinois had increased her number of farms from 46,208 to 255,741. Well she might, for it paid, since the

state then had 7,955 miles of railroad—one mile of road to every seven square miles of land. The farms must have been few on which the whistle of the locomotive could not be heard every twenty-four hours, and often to take on wheat for England. Other things being equal, it pays to make grain and meat where the whistle of a locomotive can be heard. My friend need no longer feed his unthreshed wheat from the stalk, for a railroad now runs within sight of that farm.

When these railroads began to come into Illinois freely in 1861, the average value of land went up from five to fifteen dollars an acre, and in 1880 improved lands averaged from thirty to fifty dollars an acre, whereas, in 1840 to 1850, when the state had one railroad only, and it a failure, land loaded the market at government price. At the same time, 1880, the price of corn, beef and pork had almost doubled, and wheat had gone up about three-fold.

The reasons are obvious. The railroad is able largely to triumph over space between the producer and the consumer, and can create markets for the farmer. It is able to offer the Liverpool trade to the Dakota wheat fields. By this interweaving of our own country with freight lines, it equalizes prices across the continent, and leaves it in comparative indifference whether one's farm be west of the Mississippi or east of the Hudson. Fifteen miles in a freight wagon will affect the price of the grain hauled more than fifteen hundred miles in the cars. In the old times of the baggage wagon between Buffalo

and New York, the freight on a barrel of flour was ten dollars; the Erie canal reduced it to two dollars in 1825, and now the railroad to perhaps thirty-five cents. Or to use terms in the official reports, in 1817 freight was one hundred dollars a ton from Buffalo to New York; in 1825 it was twenty dollars by Erie Canal, and now it is three dollars or so.

Nor is it too bold a figure of speech to say that the railroads create markets. In proportion as space and time are overcome by the locomotive, the opportunities for the sale of products, agricultural and mechanical, are brought nearer to the farm, and factory, and shop. With all our familiarity with the railway in this broad domain, having its right-angled diameters of two thousand and three thousand miles, we do not yet comprehend the unification and the centralization of our national industries and interests by the railway system. Steam can put all our marketable and movable products into one place in a few hours or days, thus maintaining a kind of equation of prices. So the railway forces of the north and the south and the east and the west, set over against each other, preserve an equilibrium in trade prices, as the opposite pivots of the mariner's compass keep it level and reliable on the roughest sea. Once on the car, any barrel of flour in the United States is within twenty possible days of the table of any man who lives on the railroad in this country. The greatest speed for any distance, so far as appears, is made by the New York and Chicago limited—913 miles in 25 hours, or 35 miles an

hour for consecutive hours—and no one conversant with the history and progress of mechanics will presume to say that the highest limit of train speed has been obtained. This is practical annihilation of space and time to the producer and consumer. Gladstone raises some practical fears in his article of 1878, in the *North American Review*, over the preservation of a fragmentary empire, like the British, in forty—and now with *Burmah*, forty-one—isolated portions. In our broad territory the railway system unifies all our interests.

This statement may be extended to cover the United States and more or less of Europe. The prices of bread and meat supplies in Chicago affect those of Liverpool, and so much so, that within the last ten years Great Britain has been moved to turn one-fourth of her wheat acreage to some other uses. In 1880, the United States exported \$389,000,000 worth of grains, meats, and the products of the dairy. As this importation must tone down prices there on these articles, it must compel a reduction on the prices of lands and rentals. It would be no very strange thing, therefore, if the land question of Ireland, and England, and Scotland, so often and for so long time postponed in parliament, should be forced to a settlement on our western prairies. The locomotive and the steamship are forcing English and American lands into juxtaposition. The new world has already done singular and surprising things for the old world. In reality, and as among bottom forces, the United States intro-

duced the English corn law question and closed it in 1848. The world grows smaller, the Atlantic Ocean narrower, St. Paul and London talk with each other hourly, and the human family, in its different branches, is coming to live nearer together, as in one city or block. The term "foreigner" is dying out—the highways between the nations are so many, and broad, and inexpensive. An old advertisement of fares on emigrant placards in England told more than the passer-by read: "London to Chicago, £6 8s." It will be wisely done, if Americans allow that term, "foreigner," to pass kindly and gently into disuse. Trade makes nations and laws, and one need not move long on the great channels of commerce, on both sides of the ocean, to notice that there are no foreigners.

The acres, and grains, and meats, and other supplies for human wants are coming nearer and nearer to the same prices in different cities, no matter what oceans or mountains lie between. All this was preordained when the locomotive first pulled out from Boston, and Baltimore, and Philadelphia, and when the first train of cars turned the pitch of the watershed on the Alleghanies and went "out west."

When those five shovelful of earth were thrown up, as on July 4, 1828, for the Baltimore & Ohio—the first passenger road in the United States—by Charles Carroll, the only surviving signer of the Declaration of Independence; and for the first railroad in Ohio, 1835; and for the first in Illinois, and for the Kentucky, Frankfort & Lexington road,

both in 1838, deeds were done hardly surpassed by any industrial acts for the civilization of the world. When those last spikes were driven at the completion of the Union & Central Pacific railway and of the Northern Pacific; of the Southern and of the Mexican Central, the echo of the hammers and the salvos of artillery and the ringing of bells, sent good news to man like "the shot heard round the world." The human race never before took so long a stride as when they then stepped over the Alleghanies and struck out for the Pacific. It was our hap to see the waving banners and to hear the glad shouts when men passed westward through Winnipeg—the old Fort Garry of the Hudson Bay company—to drive the last spike for the Canadian Pacific early in November, 1885. Then another trunk road, believed to be the longest in the world—2906 miles—was completed and North America was put under another bond to aid the interests and keep the peace of mankind. How different from the time when old Fort Garry was in its glory of solitude, and the largest monopoly, save one, in the world, held sway over territory, "one-third larger than all Europe, larger than the United States of to-day Alaska included, by half a million square miles."*

For nearly two hundred years that iron monopoly kept white men and civilization out of that vast region, only letting in a man with a steel trap to bring out a beaver for the company. Now worthy emigrants from Great Britain

*Oregon: The Struggle for Possession. By William Barrows. Boston, 1885. p. 39.

will go in freely by the ten thousand, and factories will take the place of steel-traps around the waterfalls, and grain fields will be opened up equal to three times the area of all England.

But this chapter has to do with the United States, and we return from abroad and into the west. The power of the railway system to develop a country, naturally inviting, is well illustrated in Missouri. At the opening of the civil war that magnificent and almost empire state of more than 68,000 square miles, had only 600 miles of railroad in operation, but at the return of peace it took a new departure. "Instead of numbering our railroads by a few hundred miles, they are counted by thousands of miles [1883]. In that part of the state north of the Missouri river, there is not a single county which is not traversed by at least one railroad, and in many cases by many. South of the Missouri the supply of railroads is not so great, but yet it is very considerable. Instead of consuming a week to reach our great city from distant parts of our state, we can reach it from the same points in less than a day. Instead of having but one market, we have a multitude of markets; instead of being practically excluded from the world, many months every year we are in constant intercourse with it every day, and I might say every night. Large and important cities have sprung up in our midst. The log cabins of the farmer have been transformed into habitations of comfort, and many times of elegance. Our public school houses have been multiplied and enlarged, and in many

cases students of these institutions are fitted for Yale and Harvard. The price of farm labor, which in 1860 was eight and ten dollars per month and less, is now fifteen dollars per month or more.

The entire assessed value of the real estate in Missouri was, in 1860, \$249,469,620.91; in 1880, \$406,104,426."*

It should be considered that as late as 1850 there was not one mile of railroad west of the Mississippi river.

It has been stated that a railroad creates a market by shortening up time and space between producers and consumers, be it in agriculture or mechanics. Conjointly it stimulates production in sections naturally adapted to it, but formerly too distant from markets to make production profitable. In proving these two statements, a box of strawberries in Illinois will serve us equally as well as the Iron Mountain in Missouri, both waiting for cars. In June, 1869, the writer was visiting in Cobden, Illinois. The whole region was one vast fruit garden, opened about ten years before, on the advent of the Illinois Central railroad. There were peach orchards of 12,000 trees, and pear of 20,000, and strawberry beds of half an acre to ten acres each, as also immense quantities of small berries and early vegetables. The principal markets were Chicago, 323 miles, Milwaukee, 408, Detroit, 610, sometimes St. Louis, 120 miles. There were special express fruit trains, and these delicacies from the earlier and "sunny south" were hurried north. The

* 'The Railroad and the Farmer.' By Hon. Edward Atkinson, 1883, p. 54: In *Agricultural Review*, New York.

shipping clerk at the station furnished me these figures for the strawberry season of that year, nineteen days: 572,496 boxes, one quart each, equal to 17,890 bushels, forwarded. But for the railroad, only so many of these boxes would have been needed as would supply families and strawberry festivals in that border village.

In running down the Columbia River valley by cars, and up that river by steamer, in the autumn of 1885, our attention was called to immense salmon canneries on the banks; and to some huge fishing wheels or machines, projecting from the shore into the river. A leading operator in this interest informed me that during the current salmon season, mainly June and July, he had put up a million and a half of cans. A can of salmon is one pound and a case is forty-eight cans. Before the railroads were opened to the Pacific this branch of commerce was slight. In 1866 the product was only 4,000 cases, but in 1884 the number had gone up to 672,350 cases, which realized to the people more than three millions of dollars. "The foreign demand has become a settled fact, and Oregon canned salmon is being used in nearly all civilized countries as a daily article of diet." "Since the opening of the Northern Pacific, fresh salmon are exported to the eastern states in refrigerator cars, an export, although it bids fair to increase each year, which can only be conducted at each season for two or three months." All the United States to the eastward of the Rocky mountains is supplied with the canned salmon, while Australia,

England and other European markets are extensive customers, and the business is thought to be capable of great expansion.*

It is not necessary to schedule and tabulate all of the commercial interests on our northwest coast, which the railroad has created or caused to be developed, in order to show the relations of the railroad in our new country to national growth. The brevity to which we are constrained compels to the presentation of the topics by glances. It is due largely to the introduction of railroads into Oregon that the state had, in 1880, a population of 144,000, and farm value to the amount of \$56,000,000; manufactured goods for the year preceding amounted to almost \$11,000,000, and 1,782,537 head of live stock. Similar showing might be made of all the states between the Pacific and the Alleghanies; each was born of the railroad system, as one of the forces in the leading nations of the world. When Chicago had but one mail a week, in 1834, which was all it needed, the United States was quite in the rear among the nations. In 1880, Mulhall, comparing the nations and speaking of the industries of the world, says: "At present Great Britain holds the foremost place, but the United States will probably pass us in the ensuing decade."†

It is the locomotive which has hauled up the United States to the front in the procession of the nations.

* "Progress of the State of Oregon and of the City of Portland, from 1870 to 1885." By William Reid, 1885.

† "Balance Sheet of the World for Ten Years—1870-1880," pp. 3, 41.

In his Reports on the International exposition at Paris, in 1867, Michel Chevalier uses this remarkable expression: "It seems that the supreme authority is about to escape from western and central Europe, and to pass to the New World."

We recur to the railroad creation of markets and the utilization of neglected values. In 1870 I was over the Kansas Pacific—the year of its opening to Denver. At Salina we spent the night where cattle were waiting by the ten thousand to be sold and shipped east. Owners and purchasers and cow-boys thronged the station, and the herds covered the prairie in all directions toward the horizon. How those ranchmen of old, Abraham, and Lot, and Jacob and his twelve cow-boys, "whose trade had been about cattle from their youth," would have enjoyed that day and night at Salina, Kansas.

Between June and December of that year, the road was said to be under contract to ship east 70,000 head. Some of those herds were said to have been on the trail six months. They came from the Indian Territory and the extremes of Texas, and from ranches and ranges where New and Old Mexico border on each other—drives of five hundred, eight hundred, and even a thousand miles. A few years before there was not a mile of railroad west of the Mississippi to help on a steer toward his slaughter; and in that long distance from a meat market and a tannery he was not worth the stripping of his hide. As we have seen, they were worth only that in California in those days, though near to

shipping ports. Now by our railway system, those unlimited American pastures, in which England could be secreted, have been placed, if we may so illustrate, just back of the abattoirs of Kansas City and St. Louis and Chicago and Brighton.

A month among the cattle and horse and sheep ranges in Wyoming, in the autumn of 1885, furnished a good sample of this great American industry, and the wealth which lies in it. Areas of natural pasture we passed over, where ample counties of New England could be placed in tier right and left and in front to the horizon; and beyond it another tier and so on, for Wyoming is as large as twelve states like Massachusetts, though it has a large per cent. which cannot be grazed. However, its river valleys and mesas and natural parks in the mountains are immeasurable for a month in the saddle. Its natural grasses, it is claimed, make better beef than grain-feeding in the east. Of the 197,497 head, purchased in one year by one cattle-dealer in Chicago, and for which he paid more than \$13,000,000, very few would know grain by sight or taste. In cattle, Wyoming leads nine of the United States, west of the Mississippi, and railroads on the three sides of the territory make a market accessible. But in riding over those pastures, limited somewhat by snow-peaked mountains, but more by the horizon, and seeing herds from one thousand to thirty thousand, it was painful to think how through centuries the country had lain waste, and a hungry world had waited for the locomotive to go in and

bring out beef. The ranch and range area of our country is about forty-four per cent. of the whole, excluding Alaska, and lies in fifteen states and territories. Abroad it would cover Great Britain, and Ireland, France, Germany, Denmark, Holland, Belgium, Austria, Hungary, Italy, Spain, Portugal, and one-fifth of Russia in Europe combined. One is pardonable for being skeptical over this statement. The railroads are in good progress toward making this once immense waste land servicable to mankind, and many of the 49,417,782 head of cattle which were on it in 1884 are already on the way to the great meat markets of America, and to family tables on both sides of the Atlantic.

The increase of railroads and of agricultural products in the United States have moved off into our new country with an even pace, and indeed the evenness is remarkable. The number of miles of new road each year is inevitably followed by a proportional increase in the tonnage of products put on the market. A glance at 'Poor's Railway Manual' and the census returns and tabulated market reports for our national centres, will make this evident. In 1880 there were exported \$389,000,000 in value of grains, meats and dairy products. How impossible to have brought so much from inland to tide-water in the old methods, by horse and wheel and boat, and how senseless in the producers to have produced it for export. That year the tonnage of wheat alone raised in the country was 70,000,000. The idea of its movement to a market in the old ways would have been

a commercial absurdity, but it is now carried as flour a thousand miles, at a cost of from five to seven dollars a ton. In other words, a barrel of flour can be carried from Minneapolis, where they manufacture 27,000 barrels a day, to New York, for a price varying from fifty cents to seventy-five. And it is stated on good authority that during the last twenty years no prices, in leading interests, have fallen like those of transportation; so that it is said that his fair wages for one day will freight to his depot the supplies of a laboring man for a year. His breakfast and dinner and supper and household comforts are brought to his family door at very low rates, and where Vanderbilt gains his penny by the transportation, the workingman gains fifty or a hundred. With many in New England the memory is still fresh, when the great sleigh, with its load of beef, and pork, and poultry, and butter, and cheese, and oats, glided from the hills over snow banks to go "below." After ten days, or twenty of them, it returned with West India goods and groceries, and cottons, and cloths, and prints. The "good old times" returned, as some sigh for them, would put the old sleigh on the road again, and there would come back in it what we saw in the stores in The Aroostook, twenty-five years ago, hand cards, and flax wheels, and the family loom.

The sighing for other days to come back, and the mourning of the aged, and the fossil young over sad and degenerate changes, usually gives amusement in quiet. Every age has it, and every improvement is admitted with

regrets and under protests. In 1673 there was published "The Grand Concern of England Explained." It gravely shows the miseries and trials and the ruin of trade, occasioned by the invention and use of coaches.

For the present, and for a long time to come, in the United States, it cannot be a question of production of the cereals, and meats, and articles of heavy manufacture, for which we have the raw material in the natural state and in great abundance, but it will be a question of transportation and delivery. The annihilation of space and time will continue and probably be intensified and our broad domain will become more and more as one place for the market of our products with one price. During the last ten years the cost of distribution by the longer and combined railroads has been reduced one-half and we are warranted in hoping for increased reduction.

Probably not more than one-sixth of our arable land is yet under the plough, so that we may anticipate not only a continuous but large expansion of the railway system. Mr. Atkinson, in his admirable pamphlet above quoted, estimates that within the present century the development and wants of the country will demand and add about one hundred and twenty thousand miles more to the present system of railroads. As our growth in the line of new settlements, agriculture and manufactures has usually exceeded even ardent predictions, the above estimate will probably prove to be moderate if not timid, compared with final fact.

Nor let it be supposed that these anticipations and predictions rest wholly in the region beyond the Mississippi. It is thought that a region could be outlined with a centre in the Cumberland mountains and margins, running into Virginia, the Carolinas, Alabama, Tennessee and Kentucky, embracing several fold more wheat acreage than Great Britain, and quite as good, not to mention its adaptation to the production of tobacco, and hemp, and corn, and cattle horses and mules. Of the mineral resources there but little is known, yet enough to establish large expectations in the line of coal, iron, copper and salt. The area might be as large as Great Britain and Ireland—one hundred and twenty thousand square miles. This region is but little known, sparsely populated, and the inhabitants of one-half of it are so isolated that they are said to be clothed in homespun and have yet to see the first wheeled carriage and locomotive. Probably by many American travelers the Swiss mountains are much better understood than the Cumberland, and the railroad has yet much to do in exploring and opening up our own country to our own people.

This steady growth of the railway system into our new territory is an exceedingly interesting manifestation of modern civilization, and a few diagrams of its progress would be impressive. Let them indicate the movement of railroads westward from the Alleghanies to the Pacific in periods of ten years each, beginning with 1840, when the locomotives were taking first looks into the great west. A skeleton map with state

boundaries, principal rivers, and the railway growth for each successive period of ten years—four periods down to 1880—would be a surprising story and study east of the Alleghanies, and specially east of the Hudson. Each decade should be marked in different colors. No large portion of the world ever took on so great a change in four successive decades.

How like some living thing this railway creature has rushed off into space this way and that, across plains, over rivers and through mountains, reaching out with its tentacles, feeling for a way and a place and making fast. One cannot avoid thought of the simile of Ezekiel when in his vision he saw the living creatures on wheels. "At first a whirlwind came out of the north, a great cloud and a fire enfolded itself. And the creatures went every one straight forward. Whither the spirit was to go, they went; and they turned not when they went. Their feet were straight feet. The spirit of the living creature was in the wheels and the living creatures ran and returned as the appearance of a flash of lightning." Did Ezekiel ever see a locomotive?

No one must be skeptical over the continuance of this settlement of wild country and development of its resources and consequent supply of the markets of the world. Five-sixths of the arable land of the United States is yet waiting for the plow. Vast tracts, once called desert, wait only for irrigation, to be ploughed; and when the government organizes a water system as it has a land system, it will be found that with rainfall and rivers, the land and the water

of our country are in fair proportions. The Missouri, the Colorado and the Columbia, starting near together, central for the regions needing irrigation and ten thousand feet above tide water, may be and yet will be made to do much in wetting this country. Already the western farmer, with this process and that, and this product and that, has driven the Great American Desert from our school geographies. "Whither the spirit was to go they went, and they turned not when they went," and the doomed lands of Pike and Long and Hazen, not farmers but soldiers, are controlling the prices of meats and bread-stuffs in foreign markets.

Moreover, the United States has the multiplying population and the national policy to continue this wonderful development. In the decade ending with 1879 our increase in population was 11,920,000. Mulhall says: "This is three times the European rate of increase, and double that of England or Germany."*

A few comparisons will aid in forecasting our growth by showing how largely the chances are with us. Leaving out Alaska from the United States, and Russia and Turkey from Europe, let us set in contrast in several particulars the two countries. As to area, the United States has two square miles to Europe's one, as above reduced, while the arable land in the two is equal. Europe has one hundred and forty-five persons to the square mile, and the United States about sixteen. The debt

* 'Balance Sheet of the World for Ten Year, 1870-1880,' pp. 117, 118.

of Europe averages to the individual—1880—\$74.64, and in the United States \$36.85. Since 1848, when the United States had comparatively no debt, the European has increased three fold, and is still increasing. In 1866 our war debt averaged \$83.35 to a person, but in 1880 had been reduced to the above figures. The national expenditures in Europe averaged \$10.15 to the person, and in the United States \$5.35. Taxes on the earnings of the people in Italy, France and Great Britain averaged twenty per cent. and in the United States nine and one-fourth. In Europe one man in five of all fit to bear arms is a soldier in active service, and in the United States one in four hundred. In the army and navy of Europe there are in camp and barracks and on shipboard 2,100,000 able-bodied men. These are not producers, and so not only detract so much from the producing forces of these European nations, but consume the labors of very many in their support. The standing army of the United States is twenty-five thousand only. While the war policy and the war footing of these European states withdraw so much from their progressive force, the United States, with her peace policy and small army, is left quietly to develop the continent and enlarge the nation. If they go to war and we continue at work, who can doubt our continued progress, in which Gladstone said we were passing Great Britain "in a canter?"

Some per cents. of growth given in the census of 1880 are worthy of grateful memory. In the decade of 1870—

1880, New Mexico had increased 30 per cent.; Nevada, 47; California, 54; Utah, 66; Montana, 90; Oregon, 92; Texas, 94; Idaho, 117; Wyoming, 128; Kansas, 173; Washington, 214; Nebraska, 268; Arizona, 319. These figures warrant some ardent anticipations for the census of 1890.

There is no one power in the country which carries civilization so fast and disseminates it so widely as the railroad. In 1870 the Atchison, Topeka & Santa Fé was open as far as Las Animas, in Colorado; and it was exceedingly interesting to study the effects of its advent. It began at once to reconstruct the plan of the old Mexican town, with its streets and lanes beginning anywhere and ending nowhere, in vanishing lines. Its only feature, evidently designed, was its *plaza*, or atomic centre and original camping-ground, from which the town had been evolved, as in a spider's web. The engineers and locomotive marked out the first straight line in Las Animas, and the village, when we were there, was trying to make other straight lines, and right-angles and fronts to the houses, adapted to the railroad, the regenerator. This movement was compelling obvious and sometimes violent distinctions between front and back yards; also producing some wooden houses among the adobes. Chairs and ploughs and bedsteads had arrived from the states, and some wheels which had spokes and iron tires. The great American time-keeper had arrived, the locomotive, and they were awkwardly getting used to it. They had been living on the time-table introduced into New Spain by Cortez

and Coronado, which was exact enough to recognize sunset and sunrise. In later excursions we found that this road had gone along to Pueblo, and Santa Fé, and Albuquerque, and El Paso, running vigorously there into the Europe of the sixteenth century, and working revolution enough to haul in the nineteenth century. It had introduced the kitchen from the north, to the bewilderment of men and women; and we shall not soon forget with what satisfaction and idea of advancing civilization a gentleman at Albuquerque showed us through his new adobe, ornamented with cabinet furniture, upholstery, and all that and all that, from the states. He had indeed the white elephant of the old Aztec country. This must not seem so strange in the rising man, for as late as 1846 the adobe palace in Santa Fé was said to be the only building in New Mexico which had window glass.

Not only has the railroad system been the great, if not the greatest, civilizing means and power in our new and wild country, but it is the binding power of the union of the states. It may be gravely doubted whether sixty millions, so free in all their civil action, and so widely scattered, could be kept willingly under one government without easy and speedy intercourse through all sections.

Moreover, the railway system makes it impossible that any one point in the country should be fatally vulnerable to the whole. Such a body politic has no heel of Achilles. It was before we had railroads that Jefferson said so wisely in a letter to Livingstone, at Paris, in 1802:

There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans—through which the produce of three-eighths of our territory must pass to market; and from its fertility it will ere long yield more than half of our whole produce, and contain more than half of our inhabitants.

Jefferson had heard with regret and anxiety that France had recovered her ancient Louisiana. But with railways radiating from that fertile valley to each ocean, the lakes and the Gulf of Mexico, his anxieties would be readily abated, since they could concentrate the strength of the whole nation at the most needy point. To be of one mind and under one law, statesmen, business men, scholars and educators need to meet and know each other, see face to face that they have one interest, and so come to a union in purposes and plans and action. When a country, under one government, is too large to have national men, it is too large for prosperity and perpetuity. When John Bright was discussing the question of Canadian fortifications in the house of commons, in 1865, he spoke of Englishmen as a people "who appear to have more sense the farther they go from their own country." He might have safely extended that remark to all who speak English. Calhoun's life worked in three centres—his home in the hill country of South Carolina, luxurious and aristocratic Charleston, and Washington. The first two places were all of our country which he could carry to the third. Hence the able provincial was unfortunate in his lack of travel and as narrow as he was strong in his sectional movements. Randolph well states the case of so many radical and provincial

extremists in the north and in the south :

With regard to the battle cry of "State Right," seven-tenths of the voters of the north hardly know what a southern man means when he pronounces the words. Thus we presented to the world the curious spectacle of a people so ignorant of one another, so little homogeneous, that nearly all on one side of an imaginary line were willing to risk their lives for an idea which the inhabitants on the other side of the line not only did not entertain but knew nothing about.

It now seems very strange to us that Massachusetts should have instructed her representatives in congress in 1813 to ask for the repeal of the bill which admitted the state of Louisiana to the Union the preceding year, but Louisiana then was as far off as China is to-day. The trip from Boston to New York required more time and discomfort than the one now to San Francisco. Travelers were called at three in the morning, and with a farthing candle and horn lantern got under way, and toiled over miserable roads till ten at night. The use of his shoulder or a rail by the passenger to pass a quagmire is no original custom of the western prairie. Like so many of their hardy virtues and practices for hard places, our frontier men inherited them from New England. If the travelers were fairly fortunate they would arrive in New York on the six or seventh day.*

On one occasion, and about the time when Massachusetts was moving this action on Louisiana, Mr. Quincy spent

* 'Life of Josiah Quincy,' by Edmund Quincy, pp. 47, 48. See also 'Recollections of Samuel Breck,' who says: "I have myself been nine days going from New York to Boston"—pp. 90-99, 100-103, 271-273. And more generally on travel in those times, see 'Letters of Aaron Burr to his Wife,' and 'Arnold's Life of Benedict Arnold.'

a month in his own carriage in going from Boston to Washington. In those times the rates of public conveyance over the Alleghanies was forty miles in twenty-four hours, and the round trip between Cincinnati and New Orleans was about six months. A Russian post in Siberia is to-day no further from Massachusetts than Louisiana then was.

It was this distance and inaccessibility of the southwest from New England, which make some views and remarks of eastern men in those earlier days surprising and amusing, and always pardonable. When the bill for admitting Louisiana as a state was under discussion, in January, 1811, Josiah Quincy, representative from Massachusetts, said:

You have no authority to throw the rights and liberties and property of this people into 'hot-pot' with the wild men on the Missouri, nor with the mixed, though more respectable race of Anglo-Hispano-Gallo Americans, who bask on the sands in the mouth of the Mississippi. * * Do you suppose the people of the Northern and Atlantic States will, or ought to look on with patience, and see representatives and senators from the Red River and Missouri pouring themselves upon this and the other floor, managing the concerns of a seaboard fifteen hundred miles at least from their residence?†

How the vigor of that question is reduced when we insert four days in the place of fifteen hundred miles!

From woods and lakes and desert wilderness legislators issue, controlling the destinies of a seaboard people, paralyzing all their interests and darkening all their prospects. * * A whirlwind from the west is passing over those massy pillars of our greatness, and they are already prostrate, * *

* from your councils, and out from your confidence be every man, who will not maintain the old foundation of New England prosperity. Follow no longer the doctrines and commandments of men from the mountains, contend earnestly for the com-

† 'Life of Edmund Quincy,' by his Son. Little & Brown, Boston, 1874.

mercial faith delivered to your fathers, and let him who will not stand up for it, be to you worse than an infidel.*

Only railroads were needed to convert such fears into glowing visions, which to-day are realized in grand national facts. The Baltimore & Ohio, the Louisville & Cincinnati, the Chicago, St. Louis & New Orleans—these or other roads have put Louisiana and the mouth of the Mississippi and the Missouri nearer to Mr. Quincy's old home than New York was when he so eloquently expressed his anxieties. The revolution in travel and the condensation of the country by steam have been wonderful and beyond the comprehension of business men, born since those days. And the opposition to the revolution and condensation was equally wonderful. Of the scheme for the Boston & Albany railroad, the Boston *Courier* says: "A project which every one knows, who knows the simplest rules of arithmetic, to be impracticable." And as late as 1842, the town of Dorchester voted: "That our representatives be instructed to use their utmost endeavors to prevent, if possible, so great a calamity to our town as must be the location of any railroad through it; and if that can not be prevented, to diminish this calamity as far as possible," by locating it along the marsh.

"Whoever," says Webster, "would serve his country in this our day, with whatever degree of talent, great or small, it may have pleased the Almighty Power to give him, he cannot serve it, he

will not serve it, unless he be able to extend his political designs, purposes, and objects till they shall comprehend the whole country, of which he is a servant."†

Yet when speaking in the Senate in 1838, on Preëmption he said: "Of the southwest I know but little." When, however, nine years later, he was making remarks at the New England dinner in Charleston, South Carolina, he expressed those very excellent views: "I concur with you cordially, gentlemen, in the sentiment that mutual intercourse strengthens mutual regard, and that the more citizens of different parts of the country see one another, the more will asperities be softened and differences reconciled."‡

It is to be deeply regretted that such intercourse could not have been had all through the first half of the present century, between the north and the south. Possibly some other intercourse would have had its asperities softened if not wholly prevented by it. In the introduction to Webster's Southern Tour, 1847, the editor remarks, that "the receptions were rendered peculiarly interesting by the unusual nature of such an occurrence as the visit of a highly distinguished New England statesman to the south." That lack of intercourse was no good omen for the interests of either section, or of the whole country. Yet the breadth of domain and the infelicities and sometimes impossibilities of travel, kept the north and the south and the east and the west in great ig-

*Address of Edmund Quincy before the Washington Benevolent Society, Boston, 1813. *Life*, etc., 309-316.

†New England Festival, New York, 1843.

‡'Webster's Works,' Vol. II, p. 376.

norance of each other. Happily, in the immensity of the public domain, those obstacles are now removed, and one may reach any of the great centres between the two oceans, and the Canadian and Mexican borders in six or eight days. The harmony and strengthening and prosperity of the Union lie in this speedy and easy travel between all parts of it.

The outlook for the United States would be better, let it be added, if there were more home travel by her citizens, before there is so much travel by them in foreign lands. Scholarly pursuits of ancient and foreign history, and pleasurable rambles in foreign climes add an estimable charm to companionship and general society, while statesmanship and serviceable citizenship call for the ornament and the strength which come from personal knowledge of one's own land. The American exchange at London reports astonishing expenditures in Europe by Americans. Basing the estimate on letters of credit to European banking houses, the number of travelers from America has been marked as high as sixty thousand in one year, and their expenditure as high as one hundred and eighty million dollars—probably an overestimate.

An extract will not be out of place here from a letter of Washington to the tutor of young Curtis, Washington's stepson, when the question of foreign travel by him was under consideration: "It is to be expected that every man, who travels with a view of observing the laws and customs of other countries, should be able to give some description

of the situation and government of his own."*

This sixty thousand might, perhaps, furnish a select audience of such of their number as have not been a thousand miles from home in their own country, for the Reverend Doctor Bushnell says: "The sooner we have railroads and telegraphs spinning into the wilderness, and setting the remotest hamlet in connection and close proximity with the east, the more certain it is that light, good manners, and Christian civilization will become universally diffused."†

It is thought and hoped that the railroads of the country will have no little to do in harmonizing the theological sects, and so in economizing the religious and financial forces of the church in the United States. The religious wars by the sword in olden times and those by the pen then and now have come much from the cloister, and priest, and divine, and not from the wide observations of life, or from diverse causes among ordinary and good people. Men, religious, so-called, have quietly, and in the solitariness of study, run their thoughts along in the lines of musty parchment, or of letter-press, and have framed and mastered sentences and then marshalled them into polemical theology and so led to the organization of denominational skirmishers. Hence the wars of the phrases and of the paragraphs, which waste so much good feeling, and strength, and sacred money, ink, and paper and type. The struggles come on the battlefields of belief, not of life.

*Irving's *Life of 'Washington,'* Vol. I, p. 367.

†A Discourse, *Barbarism the First Danger*, 1847.

If reverend and cloister and lecture-room dogmatists had moved freely and frequently and observingly among the people who are living a Christian and exemplary life, they could not have organized the sects from any differences in their living. It is a catechism and not difference in Christian life which organizes theological campaigns, and makes great church expenses for holy wars. Travel among other religious bodies, and candid, domestic observation on their religious life broadens and softens the local and the provincial religion. This travel and observations are apt to slip one's theological phrases and devout mannerisms out of the quotation marks in which he has received them by inheritance. He is exposed to doing his own thinking and expressing, which is always dangerous to religious sects, created by phrase-makers among people who are living the same Christian life.

We therefore give the hand of Christian fellowship to the locomotive as a peacemaker, as harmonizing and economizing Christian forces. It brings new currents of thought to the cloister, hangs new pictures of holy faiths and life in the galleries of the old masters, and reveals a Christian kinship broader than any holy league and covenant. The railroad does vastly more than to work for commerce and dividends and civilization. It is an evangelist.

California and Oregon and Washington would have been an impossibility without our Pacific railways. A quick circuit of thought and feeling between the old Atlantic and the new Pacific

homes was a demand as inexorable as a necessity of nature. The new west, to thrive, must have the footsteps and voices of the old homestead as next door neighbors. The early French and Spanish colonies in America, pined and dwarfed by isolation, and those splendid Dutch and Christian farmers, cotemporary with the New England fathers, degenerated into the present semi-civilized Boers of South Africa, because they lost contact and close communication with the fatherland. With education and Christianity coming tardily to the rescue of cities, and villages springing from gold mines, the railway is their greatest hope for law, order, equity, morality, and more than all for the recognized and sanctified home of marriage, without which there is no civilization. For all the high and noble ends of society, a bonnet is more than a gold mine.

The social and moral and religious benefits of our flowing together are already happily obvious in a thousand modern ways of union where theology gives place to religion, and living is more than believing. A railroad between Jerusalem and Samaria would be a wonderful aid for the passengers and freight in the great business and commerce of godliness. Voltaire puts the point well in his definition of an educated man—and we would include religious—as “one who is not satisfied to survey the universe from his parish belfry.” We assent to the text of the chapter, “If there were to be no railroads, it was, on the whole, rather an impertinence in Columbus to discover America.”

WILLIAM BARROWS.

ZACHARIAH CHANDLER.

III.

THE letter quoted at the close of our last article passed into history as the "blood letting letter." Though purely personal, it was made public, published, and was, within a few days, in every hand at Washington.

Senator Powell of Kentucky brought the newspaper publication to Mr. Chandler and asked if he had written the letter, as reported. The latter answered that, as the communication was a private one, he had kept no copy and could not vouch for its literal correctness, as published, but that the sentiments were his and he adopted it as his. Mr. Powell brought the letter before the senate, and Mr. Chandler made a vigorous speech, reaffirming the sentiment and dealing heavy blows at the enemies of the government. To the end of his career he was called upon to meet this letter. It was flaunted in the press, denounced upon the stump and quoted in the senate. Four times, in that body, it gave him opportunities to speak and excoriate his opponents, but never did he palliate it or withdraw one jot of its meaning.

Though there were many times when Mr. Chandler and Mr. Lincoln had different views as to matters of policy, they were both working honestly and devotedly for the same end, and the general confidence and esteem they had for each

other was never impaired. Lincoln was very anxious that the south should bear the whole *onus* of the war so clearly that all the world might know; he was anxious, too, to give time for preparation and was perhaps sometimes over-fearful of too severely taxing the public opinion of the north. Mr. Chandler was exceedingly radical and aggressive, caring as little for the fire in the rear as for the fire in the front. He was especially opposed to giving cabinet offices to men of whose loyalty there was the slightest doubt, and was one of those through whose influence the President was induced to forego his plan of tendering portfolios to James Guthrie of Kentucky and Alexander H. Stephens of Georgia. He urged the arrest of openly disloyal members of congress; was ready for confiscation, emancipation and the arming of the blacks, before Mr. Lincoln deemed the time ripe; looked with favor upon the strong policy of Fremont, while in command at St. Louis, and was, in general, more advanced in his view of the powers and the policy of the administration than was the President. With all this, Mr. Lincoln received no aid more warm and constant than that given by him.

When Fort Sumter was surrendered, on the thirteenth of April, Mr. Chandler was in Detroit. On the fifteenth the

President called for seventy-five thousand troops; on the same day Mr. Chandler wrote to Secretary Cameron that Michigan would send all the troops that could be used, and that two regiments would be ready in thirty days. The two regiments were enlisted in four days, with one hundred thousand dollars raised by subscription to equip them. Of this sum, General Cass, who had indignantly resigned from Buchanan's cabinet, gave thirty thousand dollars. Michigan sent but one three months regiment to the field, all the rest of her magnificent contribution being long term men.

Thus at the outset, and throughout the war, Mr. Chandler's service at home was almost equal to that he performed in Washington. He gave his money freely to the cause, but did more and better, speaking and writing, exhorting the people to action and to confidence, until they caught the force of his enthusiasm, and, in the darkest days of the war, never wavered. Every Michigan soldier knew "old Zach." by name, thousands knew his face, and hundreds have him to thank for acts of kindness and words of cheer. The dustiest, raggedest blue coat applicant for his aid, had a claim to royal precedence, and they all knew that if they needed influence or money, they had but to ask him. Not the iron rule of Stanton himself could avail to delay him in such a service.

Mr. Chandler was in Washington when the First Michigan arrived, and remained there, or at the front, assisting in organization, supplying deficiencies in the

commissariat and giving other practical aid to the secretary of war. All this time he was urging a strong policy and vigorous war. He never lost confidence in the result, but he regretted that Mr. Lincoln had not called for five hundred thousand men instead of seventy-five thousand, and he knew that the short term enlistment was a mistake, as it was terribly proven to be at the battle of Bull Run.

The extra session of congress, called by the President, opened on the fourth day of July, and, on the following day, Mr. Chandler gave notice of his intention to present a bill providing for the confiscation of the property of all governors of states, members of the legislature, judges of courts and officers of the army—above the rank of lieutenant—who should take up arms against the United States, or aid or abet treason. He thought such a measure would restrain wavering persons, and aid in punishing traitors, and would reach an influential class in Washington and Baltimore, who promised and did much harm. This bill was emasculated and passed, but a year later, congress came to his views.

The extra session adjourned on the sixth of August, after having done an unprecedented amount of business, including the voting of five hundred thousand men and five hundred millions of dollars for the purposes of war.

Mr. Chandler was one of the members of Congress who joined the army of the Potomac the night before the battle of Bull Run, and the next day watched the progress of the fight. When the stampede of teamsters, sup-

ernumeraries and stragglers, which "Bull Run" Russell took for a general rout, was at its height, he, with Senator Wade, and Representatives Blaxe, Riddle and Morris, sprang from their carriages and, armed with Maynard rifles and revolvers, arrested the fugitives, using actual force in some cases, and held them until a New Jersey regiment came up, hastening to the field, and turned them back. He from the first took the utmost interest in the operations of the troops in the field, and circumstances placed him, throughout the war, in a position of such intimacy with military matters, that few men in the United States knew more of the minute and inner history of the war.

Soon after the assembling of congress, in December, 1861, he offered a resolution for the appointment of a committee of three, to inquire into the disasters of Bull Run and Ball's Bluff. The resolution was so amended as to provide for a joint committee of both houses, and its scope enlarged to include the whole field of "the conduct of the war." This was the origin of the famous committee of that name. Mr. Chandler especially desired that he should not be made chairman of the committee and privately intimated to Vice-President Hamlin that Mr. Wade's appointment to that place would please him. The committee, as appointed, consisted of Senators Benjamin F. Wade, Zachariah Chandler and Andrew Johnson, and Representatives Daniel W. Gooch, John Covode, George W. Julian and Moses F. Odell. Senator Joseph A. Wright subsequently succeeded Mr. Johnson,

but retired from the senate a year later and, thenceforth, throughout the thirty-seventh congress Mr. Chandler and Mr. Wade constituted the senate branch of the committee, and both so served until the end.

When Mr. Lincoln and Secretary Cameron heard of the appointment of this committee, they were apprehensive lest it should embarrass rather than facilitate the conduct of the war. General Scott and General McClellan shared this fear. Learning of the anxiety of Mr. Lincoln, Senators Wade and Chandler called upon him and so expressed themselves as to completely relieve his mind. The committee, if composed of weak or unwise men, might have proved a ruinous agency, but it was, instead, of incalculable service. It stood between the President and war department, on the one hand, and congress on the other, preventing the interference of the latter and giving it confidence that would not else have existed. It made investigations and collected information which could not otherwise have been obtained, and placed these at the service of Mr. Lincoln and his secretary of war. It investigated the causes of disasters and means of preventing them, and contributed to the *morale* of the armies by hunting down cabals and disaffection, and fixing responsibility therefor. With no cumbersome machinery, it sustained the authority of the executive by the sanction of congress and promptly secured needed legislation.

The *entente cordial* between the committee, Mr. Lincoln, Mr. Cameron and later, Mr. Stanton, was never broken.

West Point irreconcilables and their comrades who found legitimate investigations inconvenient, were loud in their outcry against "civilian interference," but the committee, almost continually in session, found the President's door always open and the secretary of war was often present at its meetings and made free use of its papers.

It is impracticable to say more of the minute work of the committee, but an important act of Mr. Chandler, to which his place as one of its members led him, cannot be passed.

When General McClellan was appointed to the command of the Army of the Potomac, the Michigan senator shared in the confidence and hope that led the President and secretary to assign him to the command. How that confidence was betrayed and that hope disappointed; how the precious months of a vast army were wasted, with a vastly inferior army within crushing distance; how thousands of valuable lives were sacrificed to the miasma of Virginia swamps, victories won and wasted by inaction—all the history of inglorious warfare with shovel and pickaxe, which, with superhuman ingenuity, denied victory to our splendid soldiers, is known.

This knowledge came to the committee on the conduct of the war, sooner than to the people at large, for that committee was not deceived by the artful *claque* inspired by political managers and reinforced by sympathizers with secession. It became convinced that McClellan's failure was due not alone to incompetency, but to faint heartedness, and that the army was full of his

sympathizers and would never be what it should be until purged of him and them.

When this became evident, Mr. Chandler resolved to assail McClellan in the senate. He postponed his speech, at the request of Mr. Stanton—who entirely sympathized with the plan, until the conclusion of the current campaign, but after the battle of Malvern Hill his hands were free. He set himself deliberately to the task of collating the matter bearing upon McClellan's series of abortions, from the voluminous records of the committee, which included immense masses of matter unknown to the people at large or to congress, and when he was prepared to support every proposition with original and credible evidence, deemed himself ready for the assault. When all was prepared, he submitted his points to a friend and then said:

"Knowing all these facts, what is my duty?"

The answer was:

"Beyond all question these facts ought to be laid before the country, for the knowledge of them is essential to its safety. But they will create a storm that will sweep either you or McClellan from public life, and it is more than probable that you will be the victim."

"I did not ask your opinion of the consequences, but of my duty," said Mr. Chandler.

"The speech ought to be made," was the response, "and no one else will make it."

It was made that day, the sixteenth day of July, 1862. Mr. Chandler followed Mc-

Clellan's campaigns minutely, pitilessly, day after day, and week after week, describing the magnitude of his means, the inferiority of his antagonists and the absolute nothingness of his results. Here are but a few sentences, though it is almost unfair to quote from a speech so compressed and interdependent:

"This is called strategy! Again, sir, I ask, why is this great Army of the Potomac, with three hundred and twenty thousand men, divided? Human ingenuity could not have devised any other way to defeat that army. Divine wisdom could scarcely have devised any other way to defeat it than that which was adopted. There is no army in Europe to-day that could meet the Army of the Potomac, when it was two hundred and thirty thousand strong, the best fighting material ever put into an army on the face of the earth. Why was that great army divided. * * * If the one hundred and fifty-eight thousand men that were sent to General McClellan had been marched upon the enemy, they could have whipped all the armies the Confederates have and all they are likely to have for six months. One hundred and fifty-eight thousand men are as many as can be fought on any one battle field. One hundred and fifty-eight thousand men are a vast army, a great deal larger army than that with which Napoleon destroyed six hundred thousand Austrians in a single year. One hundred and fifty-eight thousand men, ably handled, can defeat any force the Confederates can raise; and that is the force that went down to the Peninsula. But, sir, it lay in ditches, digging, drinking rotten water, and eating bad food, and sleeping in the mud, until it became greatly reduced in numbers and, of those that were left, very many were injured in health. Still they fought, still they conquered in every fight, and still they retreated, because they were ordered to retreat."

It required courage of a high order to make such a speech. It caused a profound sensation. Many of those who doubted McClellan, condemned it as unwise and demoralizing; McClellan's friends were enraged, but Chandler was unmoved. He rated the McClellan speech as the most important of his

life; students of history go further and place it, by virtue of its effects, among the most important of the war period.

Enough has been said to indicate the nature and suggest the extent of Mr. Chandler's war services, and this must suffice. Save the President and one member of the cabinet, no civilian took a more constant, general and actual part in the prosecution of the war. In wise zeal and earnest devotion, he was second to none.

Mr. Chandler threw himself into the Michigan campaign of 1862, against the reactionary movement caused by the draft and by unsatisfactory military conditions, with all his energy. The opposition had formed a fusion of all the available elements from "Copperheads" to weak Republicans, and made an especial point of the "radicalism" of Mr. Chandler. He took his stand squarely upon the platform of radicalism, defended every one of his acts and utterances, as well as emancipation and confiscation; urged that there were but two parties—traitors and loyalists—and won upon these lines, though the majorities were reduced and one representative in congress lost. He was reelected to the senate by an unanimous vote. At the same time six states, Republican in 1860, gave Democratic victories, and, in ten states which, in 1860 gave a total Republican majority of two hundred thousand, the opposition majority was thirty-five thousand.

In the presidential campaign of 1864, Mr. Chandler performed a service of great value and extreme delicacy. While the tide of war had evidently

turned and Mr. Lincoln's hold upon the majority of Republicans was secure, there was strong disaffection among the leaders of the party. In some cases this was due to personal rivalry, in some to disappointment in office-seeking, but the largest and most respectable element was composed of men who did not deem his policy sufficiently radical and aggressive.

During the month of April there met at Cleveland a convention of radical Republicans, which bitterly condemned the administration for its methods of prosecuting the war, its attitude toward slavery and other matters of policy, and nominated John C. Fremont, for President, and John Cochrane, of New York, for vice-president. Wendell Phillips and Frederick Douglass were among those who signed the call for this convention, and Horace Greeley for a time gave it his countenance. It developed no strength, however, and would have passed almost unnoticed, had not a serious disagreement arisen between congress and the president, involving the question of reconstruction. Mr. Lincoln had issued an amnesty proclamation and announced a basis of reconstruction, under which Louisiana and Arkansas reorganized and elected senators and representatives. This was bitterly condemned in congress as intrinsically objectionable and as usurping legislative prerogatives. The recognition of the reconstructed states was prevented and, on the last day of the session, a bill was passed prescribing a radically different system. From this the President withheld his signature.

On the eighth day of July he issued a proclamation explaining his reasons for not signing the bill and this so incensed Senator Wade of Ohio, and Representative Henry Winter Davis of Maryland, as to cause them to unite in a manifesto which strongly assailed what it characterized as the presumption and usurpation of the President. No men in congress were ever more undoubtedly loyal than were the signers of this paper, and its effect was immediately seen in the new spirit of the opponents of Mr. Lincoln.

It seemed evident to the most thoughtful men of the party, that the political choice lay between Lincoln and the Union, and disunion, represented by the discredited nominee of the Valandigham-ridden Chicago convention; that the Wade-Davis branch and—consequently—the Fremont ticket, threatened Lincoln's defeat, and that a peace must be effected.

For this difficult service Mr. Chandler was selected. He was a radical and had opposed the reconstruction policy of Mr. Lincoln, yet he respected him, favored his election and possessed his confidence. He was a warm friend of Wade and of Fremont, and knew Mr. Davis well. Setting about his work, he went to Jefferson, Ohio, and saw Mr. Wade at his home. Mr. Wade saw the logic of circumstances and agreed to withdraw his opposition and aid the Lincoln canvass, if the President would yield to the radicals the retirement of Mr. Blair from his cabinet. Thence, Mr. Chandler went to Washington and procured this concession, to which Mr.

Blair had announced his readiness to cheerfully bow; thence to Mr. Davis, securing his concurrence, and finally to New York, where he compassed the very difficult task of securing the withdrawal of the Cleveland nominations. He then hastened to Michigan, and spoke almost daily until the close of the campaign.

Immediately after the assassination of President Lincoln, Mr. Chandler, with other members of the war committee, called upon Mr. Johnson. He had been a member of their committee, and they were all upon terms of personal intimacy. Their principal errand was to urge upon him the advisability of making a salutary example of some of the prominent leaders of the Confederacy. They found him irrational and vindictive in his rage against Davis and his associates, and for several weeks they feared he would bring discredit upon the government by some act of ill-judged severity. How he gradually cooled and at last permitted all the guilty men to escape, the world knows. His subsequent desertion of his party and quarrel with congress; the impeachment and its failure, are also familiar. Mr. Chandler began to suspect Johnson, when he so suddenly veered about in the matter of the trials for treason. When he became convinced of his essential bad faith, he waited upon him at the White House, told him, in good round terms, how he regarded his action and left him forever. The failure of the impeachment was one of Chandler's bitterest disappointments.

The election to the presidency of

Ulysses S. Grant, to which he largely contributed, again opened relations between Mr. Chandler and the White House, upon his return to Washington to take the senatorial oath for the third time. The friendship and respect of the men for each other, different as they were, was a matter of daily growth, and continued unbroken until Mr. Chandler's death.

His service in the senate during Grant's presidency, was largely connected with the detail of important business, but such as throws no additional light upon his character—matters of finance, southern relations, and the like. He supported the civil rights bill and the fifteenth amendment, served upon several commissions to investigate Ku-klux outrages, and carefully contested the efforts of pretended Unionists, who were actual Confederates, to push war claims upon the government. Incidentally to this, he performed a valuable service, during a recess of congress, by purchasing upon his own responsibility and with his own money, for the sum of seventy-five thousand dollars, a vast quantity of the archives of the Confederate government. These he subsequently transferred to the United States government for the price he paid, and, by their evidence, assaults upon the treasury which would otherwise have drained it of enormous sums, have been defeated. It is almost unnecessary to say that he promptly returned the corrupt "back pay" which had been voted against his earnest opposition, but, unlike many others equally punctilious in the return of the money, he re-

quested that the fact of his doing so be kept secret.

The year 1874 was everywhere a hard one for the party in power, the prevalent depression in business being very illogically deemed to reflect upon its administration. In Michigan a trying campaign was made more difficult by a coalition between the Democrats and the opponents of prohibition, who wished to secure a license law. In spite of these obstacles, Mr. Chandler's consummate leadership carried the party to success, by a majority of 5,969. Three of nine representatives were elected by the Democrats, and there was a joint majority of but ten votes in the legislature.

Mr. Chandler's term was to expire March 4, 1875, and he was a candidate for reelection. He could not have done his duty for eighteen trying years without making enemies, and these, taking courage from the small majority, determined to defeat him, if possible. Several did not go into the caucus, which gave him fifty-two votes, against five divided among three other candidates. His opponents, however, made a compromise with the Democrats and liquor men, agreeing upon Isaac P. Christiancy, one of the judges of the supreme court, whose Republicanism had not been too strict to prevent Democrats from accepting him, and, upon proceeding to an election in the legislature, six Republicans voted for Mr. Christiancy and elected him.

Mr. Chandler took his defeat, which was both a surprise and a disappointment, manfully, simply announcing that

he would again be a candidate for *that* seat. Shortly afterward he went to Washington to arrange his affairs for removal, after his long residence in that city. As was to be expected, his name was freely connected with various appointive offices—among others the secretaryship of the treasury and the Russian embassy, probably with a degree of foundation in some cases. In September, Columbus Delano resigned his post of secretary of the interior, the resignation to take effect October 1st. In spite of Mr. Delano's personal honesty, his department had fallen into evil ways; President Grant felt that a strong man was needed to set it in order and, so feeling, tendered the place to Mr. Chandler, who, after some hesitation, accepted. His commission was dated October 19, 1874, and his work began at once.

His ideas of honesty and of business exactness were strict, and he soon encountered matter for thought and for the heroic remedies so characteristic of him. He appointed Alonzo Bell chief clerk, Charles T. Gorham of Michigan, assistant secretary, and Augustus S. Gaylord of Saginaw, attorney-general. He discovered evidence of such corruption in one of the rooms of the department, that he was convinced that any person engaged there, who was ignorant of the wrong, was too stupid to serve the government, and, quietly dismissing every clerk in the room, put in charge, a colored porter, who could not read, with orders to keep the room locked until a new force could be procured. He discovered the fact that a large num-

ber of purely fictitious names were on the pay roll of the patent office, and discharged right and left, until he deemed it purged. The Bureau of Indian Affairs was preëminently corrupt, and he discharged a number of clerks, against the protest of the commissioner, who declared that the office could not go on without them. Neither competency nor political influence weighed at all with him against deliberate wrong-doing.

His reforms were not confined to dismissing clerks, but extended to the cloud of hungry parasites which hung about the various bureaus—Indian attorneys, and others of that ilk. He consolidated sub-departments, cut off an abuse here and instituted an economy there, stopped all discoverable leakages, whether of fraud or extravagance, and made the department thoroughly respectable; served those who did business with it more promptly and cheaply than ever before and earned the respect of every one, in or out of his department, for his vigorous administration of its affairs. With it all, he was, as in every relation of his life, kind, helpful and patient, with honest effort; his startlingly sudden and severe retribution fell only upon deliberate wrong, and for such there was no forgiveness. To this day Mr. Chandler's administration of the department of the interior is spoken of as the best in its history.

In 1876 Mr. Chandler was made a member of the Republican national committee and was chosen its chairman.

Many years before he and James M. Edmunds had founded the congressional committee, and his many years of ser-

vice upon that committee had peculiarly fitted him for the surpassingly difficult task before him. Early in the campaign, success was expected to be easy, but, as the weeks rolled by, the effect of Tilden's wily work and the absence of any positive strength in Mr. Hayes, made the result look doubtful. New York, Indiana—even Ohio, Mr. Hayes' own state, promised to be lost, unless immediate effort was made. The committee worked indefatigably, Mr. Chandler supplying or collecting funds for every need. When Indiana was lost in October, every effort was concentrated upon the Pacific slope, and against the agencies of intimidation in the south. Mr. Chandler knew that at least five southern states were rightfully Republican. Of these he hoped that Louisiana, South Carolina and Florida, having Republican state organizations, might be saved, and to this end he worked. Immediately after the day of election, he telegraphed, "Hayes has 185 votes and is elected." To this view he clung, during the long and bitter contest which followed, never faltering in his belief that Hayes was lawfully elected or in the determination that he should be inaugurated. He gave every support to the successful effort to secure justice, and there are many shrewd authorities who believe that, but for the counsel and assistance they received from him, Mr. Hayes would not have been inaugurated. The policy of President Hayes in the south never received Mr. Chandler's approval.

Mr. Chandler retired from public life with the outgoing of the Grant admin-

istration. After remaining a few weeks in Washington, he returned to Michigan and devoted himself to his private affairs, largely to the great marsh farm of 3,160 acres, near Lansing, which he bought, that he might by experiment prove the feasibility of reclaiming such lands, of which Michigan possesses an enormous area. He spent great sums to this end and, though he did not live to see the full fruit of his costly work, was convinced that it would in the end prove successful.

In 1878, Michigan was menaced with grave consequences, from the growth of the greenback mania. In 1876, Peter Cooper, greenback candidate for President, received but 9,060 votes. At the township elections held in April, 1870, the vote of that party exceeded 70,000.

The Republican party decided to stand of fall for sound money and the platform adopted at its state convention made no concession to the inflation error. Mr. Chandler presided at the convention, and was placed at the head of the state committee. He had then decided upon a trip to Europe, and his friends urged him to make that fact and his chairmanship of the Nation Republican committee excuses for declining to serve upon the state committee, thinking it unfortunate that he should stake his political reputation upon so unlikely a cast. He had, however, "enlisted for the war," and responded to this suggestion: "If Michigan Republicanism goes down, I will go with it." He made such a fight as is rarely made in an "off year," and spoke in every leading city, as did James G. Blaine, James A. Gar-

field, and Stewart L. Woodford. The fallacies of greenbackism never received a more thorough exposure and derision, and the effect was shown on election day—the Republicans carrying the state by forty-seven thousand plurality, electing every congressional representative and winning a large majority in the legislature.

Mr. Chandler's personal reward was at hand, though he did not suspect it. During the winter of 1879, Senator Christianity's health failed and he announced that he must resign his seat. Mr. Hayes thereupon tendered him the appointment as minister to Lima, which he accepted, and on the tenth of February his resignation as senator was laid before the Michigan legislature. On the eighteenth day of the same month, Mr. Chandler regained "*that seat*" by virtue of the vote of every Republican in the legislature.

He took the oath of office on the twenty-eighth day of February, and at once resumed his place in the deliberations of the senate, with the utmost interest. He spoke to several questions, from day to day, but on the second day of March made one of the grand speeches of his life. On February 28, a bill was passed providing for the extension to veterans of the Mexican war of the provisions of the law passed in 1878, giving pensions to soldiers of the war of 1812. This legislation was somewhat inconsiderate, and, on the evening of the second of March, a reconsideration was moved and carried, and an amendment then offered excluding persons who served in the Confederate army, or

held office under the Confederacy, from participating in the benefits of the bill. This amendment was defeated and Mr. Hoar offered an amendment specifically excluding Jefferson Davis. Then followed a debate in which Southern Democrats spoke of Davis as "a battle scarred, knightly gentleman," a man of "excellent character," "preëminent talents," "a statesman and a patriot," whose motives were as "noble as ever inspired the breast of a Hampden or a Washington." The Republican response was weak, until a friend in the gallery sent Mr. Chandler a note, suggesting that he was "the man to call Jeff. Davis a traitor." Then he arose in his place and began :

"Mr. President : Twenty years ago tomorrow, in the old hall of the senate, now occupied by the supreme court of the United States, I, in company with Mr. Jefferson Davis, stood up and swore before Almighty God that I would support the constitution of the United States. Mr. Jefferson Davis came from the cabinet of Franklin Pierce into the senate of the United States and took the oath with me, to be faithful to this government. During four years I sat in this body with Mr. Jefferson Davis and saw the preparations going on from day to day for the overthrow of this government. With treason in his heart and perjury upon his lips, he took the oath to sustain the government he meant to overthrow."

From this simple but terrible beginning he went on to arraign Davis as few men were ever arraigned before. The words were few and the time of their utterance was short, but they compressed unto themselves a damning accusation that carried Mr. Hoar's amendment and condemned Davis before a jury in which, as a previous vote had shown, the Confederate cause had a majority. It was made late at night, but it drew every

member and *attache* as an eager listener, it echoed through the land from end to end, and brought its utterer scores of messages of thanks from strangers, as well as from friends. No act of all his life did more for his reputation.

During the remainder of the regular session and the extra session, called for the eighteenth of March, Mr. Chandler was not especially prominent until the last, when he delivered a forcible arraignment of the Democratic party, of which thousands of copies were printed and used as a working basis for the following campaign. The extra session closed at midsummer, and with it Mr. Chandler's senatorial career.

His Davis speech and his able "arraignment" had given him a wider repute and a higher standing than ever before. He received invitations to speak from a score of states. Many of these he accepted, speaking at various points in Maine, Wisconsin, Ohio, New York and Massachusetts, everywhere to great audiences, which he moved to high enthusiasm.

There began to be much quiet suggestion as to his availability as a candidate for the Presidential nomination, coming from leading politicians and journals throughout the country. In Michigan the movement had taken strong and definite shape. Mr. Chandler deprecated it. He said to a friend, "No! No! Men recover from the small-pox, cholera, yellow fever, but never from the Presidential fever. I hope I will never get it."

He reached Chicago on the thirty-first day of October, 1879, and that evening

delivered a powerful speech before the young men's auxiliary Republican club. He had taken a slight cold, but otherwise seemed in better health than earlier in the campaign, when he had shown signs of great fatigue. After the meeting he returned to the Grand Pacific hotel and talked entertainingly with friends, to the last of whom he said "good night" about twelve o'clock. In the morning, as he had ordered, he was called at seven o'clock, but no answer came. A glance over the transom showed something unusual. The door was opened and he was found with his coat about his shoulders, quite dead.

The announcement of the fall of the great and just statesman caused sincere and universal sorrow. No man ever had more or better friends; even his opponents respected him officially, while they feared him, and gave to him as a private citizen their friendship and esteem. The mean and low, the dishonest and treacherous, hated him, for he was their enemy.

The President of the United States issued an appropriate announcement of the event, and ordered fitting mourning and the closing of the departments on the day of the funeral. The governor of Michigan made a proclamation to the same effect, and from every quarter came messages of sympathy and sorrow.

On the morning of Sunday, November 2, the body was borne to the railroad depot with an escort of military and citizens. The casket was placed in a car in charge of a committee of prominent men of Michigan. At Niles, Kala-

mazoo, Marshal, Jackson and Ann Arbor the train halted and many persons came to see the well known face for the last time. At Detroit the funeral train was met by a throng of sorrowing citizens of all conditions, who fell unmarshaled into line behind the hearse and marched to the home that had been that of Zachariah Chandler. There the casket lay but for a short time, while immediate friends passed by it, then it was given to the people and carried to the city hall where it lay in state, and for five hours a double file of mourners filed past it. It was removed again to the family residence and thence, after the funeral ceremony, to Elmwood cemetery, whither it was escorted by the militia of Detroit and from other parts of the state, civic societies, many distinguished citizens from Michigan and other states, and thousands of the people of Detroit. At Elmwood, in the afternoon hours of the fifth of November, 1879, the great senator and the good man was laid at rest.

His wife, Letitia Grace Douglass Chandler, for whom he had the greatest affection and with whom he had lived most happily for more than thirty years, and his only child, Mary Douglass Chandler, wife of the Honorable Eugene Hale, now United States senator from Maine, were the only members of his immediate family present.

Very little has been deliberately said in this sketch of the personal traits of Mr. Chandler, for, unless the work is ill done, it must suggest the man. He had his share of faults, but not one spotted his private life or public honor. His

most heated opponent never imputed to him the slightest deflection from the plain line of duty for any private good. He did great things because his effort was to do right things. His heart was kind, his hand was free and his conscience clean.

WALTER BUELL.

PIONEER MEDICINE ON THE WESTERN RESERVE.

VIII.

Just east of Cleveland, in the town of Collamer, there settled in 1820, a young physician named Elijah Burton. He had come on horseback from Manchester, Vermont, his saddlebags filled with medicines, seeking a location in the west. Reaching Collamer, out of money, he offered himself as school teacher. Since two candidates sought the position, they decided between themselves to toss pennies for it. Luck favored Dr. Burton, and thus he began his labors, teaching school days and visiting patients out of school hours; and it was not an unheard of thing, after being up with a patient all night, for the doctor to drop his book through falling asleep in his chair.

The schoolhouse in which the doctor taught was built of logs. The smoke from the fire poured out of a hole in the roof just above it. He had some of the hard experiences incident to school teaching in those early days, among which was a tussel with a troublesome boy of six feet, which resulted in the boy being landed in the log fire.

Before coming to Collamer, Dr. Burton had read medicine three years with a physician in Manchester, and

had also attended one course of lectures in Castleton, Vermont.

After teaching and practicing combined during one winter, he opened an office and gave his attention to a practice which extended over some ten miles.

In 1834, while caring for Job Doan, who had the cholera, Dr. Burton was seized with the disease, and was violently sick for three days, during which time he treated himself with calomel, and fortunately recovered. In one of his rides to the vicinity of Doan's Corners, after a birth, the whisky for the jollification incident to such an event was lacking, and further than this, any suitable receptacle in which to bring it was also wanting. The doctor was proven equal to the emergency, for seizing a young pig, he "pulled its skin," as it is called, and tying up the holes for the neck and legs sent the skin to be filled from the nearest source of supply. This being returned, served to regale the assembled friends.

Dr. Burton was a colonel of the local militia and took much interest in their pageants. During his convalescence from the cholera he was visited by the

company. He was also a leading Democrat and, as has been previously related, exercised a large influence in political campaigns and was consulted as to their probable termination. Dr. Burton was a man of native force and marked characteristics, and many stories are still told in the section where he practiced showing the energy and wit of the man. He died in 1854, at the age of sixty-one. His son, Dr. E. D. Burton, was associated with him in practice after 1846.

Scattered along the lake shore east of Cleveland were a number of physicians at an early day, concerning whom we have been able to collect very little information. Some of them were men of considerable ability and reputation. Of these, so far as we know, the first to settle in Painesville was Dr. John H. Mathews, who came to that place in 1808 or 1809. He was born in 1785 in Hoosac, New York. His wife, whom he married in 1813, was a daughter of Governor Samuel Huntington. He died in 1862.

Dr. William Harmon settled in Painesville in 1814, but only lived till 1820. He was born in Rutland, Vermont, in 1785, and studied medicine in Castleton, Vermont.

Dr. Storm Rosa had lived in Centreville, Geauga county, for two years before coming to Painesville in 1818. He was born in Cocksackie, New York, in 1791, and died May 3, 1864. He was a man of powerful frame and great endurance, and had a large practice

during many years. In 1841 he abandoned the old school of practice and went into that of homeopathy, in which school he held a prominent position, having held professorships in the Eclectic College of Cincinnati, and the Western Homeopathic College of Cleveland. Dr. Merriam used to tell a story of him that once when out squirrel hunting together, Dr. Rosa proposed to visit two sick children. The latter measured out doses of antimony which Dr. Merriam said would have been very large for an adult. Not long after a member of the family came running after the doctors, saying the children had both died. Merriam used to say that he considered it fortunate for the public that such a man should adopt the practice of homeopathy.

Dr. C. P. Livingston settled in Painesville in 1826, and remained there till the time of his death, August 30, 1847. He was born in Poughkeepsie, New York, May 18, 1794. Having received his education and practiced a short time in the east, he removed to Kaskaskia, Illinois, but was obliged to abandon practice in this place on account of malaria. He then returned to the east, where he married Miss Eliza Brewer of Poughkeepsie in 1825. Starting west the following May, it was his intention to settle in Cleveland, but his wife was so very sea-sick that they left the lake at Fairport. Having left his wife with friends at Painesville, he came on to Cleveland intending to secure a house and office. Finding the opening less favorable than he had anticipated,

and thinking the opening in Painesville more advantageous, he decided to return and settle permanently in that place, where he spent his life as a useful and respected citizen.

Dr. George W. Card settled in Willoughby in 1819, where he remained until 1842, when he removed to Painesville. He was a man of large influence, and it is said that through him Dr. Willoughby was persuaded to give money for the establishment of a medical school at what was then called Chagrin but was afterward named Willoughby in honor of its benefactor.

Dr. Andrew Merriman, one of the earliest physicians in Madison, was a man very highly respected by his patients and esteemed by his confreres. A peculiar circumstance gave him an opportunity to study medicine, though it is said he had previously shown predilections in this direction. A neighbor had cut his foot seriously, and in spite of the dressings placed upon it the bleeding was so serious as to threaten the man's life. Though but twelve years old at this time, young Merriman concluded that it would be harder for blood to run up hill than down, and thus placing the man on his back held the wounded foot as high in the air as possible. The controlling of the hemorrhage in this manner so pleased the physician on his arrival that he insisted that the boy, who seemed to be a natural born physician, should go home with him. The physician also promised to give him medical instruction when

he should have reached a proper age. Dr. Merriman was the son of a farmer, being born in Dalton, Berkshire county, Massachusetts, July 14, 1795. He had a common school education, and also pursued the study of Latin for some time under the parish minister. Having studied medicine several years with Dr. Durance, he terminated his studies by attending a course of medical lectures in New York. He came to Madison, in 1817, at the age of twenty-two, and established himself there in practice, remaining until the time of his death.

As has been said, Dr. Merriman was highly esteemed by his fellow-practitioners. This is a fact which is remembered by some of the older physicians of to-day. It is also attested to by his being called as far as Austinburg to consult in a difficult case with Drs. Hawley, Allen and Coleman. Dr. Merriman was active in other fields than that of medicine, being a leader in all matters of public welfare, whether pertaining to religion, education or general improvement. On the day of his funeral an old citizen said: "A few years ago there was not a bridge within a circuit of ten miles that Dr. Merriman did not help build, or a bad piece of road that he did not contribute largely to repair." It is also known he was active in the conduct of the underground railroad.

An obituary notice prepared by Dr. E. L. Plympton says: "Dr. Merriman had a genial nature, which never failed to draw to his side kind and true friends. He possessed also an unblemished Chris-

tian character." Dr. Merriman died July 23, 1867, at the age of seventy-two.

Dr. Stephen H. Farrington was a physician much respected in Ashtabula, where he practiced from 1824 until a few weeks before his death, on May 8, 1875. He was born in Winchester, New Hampshire, January 10, 1800, and graduated from the school of medicine at Castleton, Vermont, in 1823.

Dr. Farrington was a thorough scholar and a careful and successful practitioner, enjoying in a high degree the esteem of his fellow citizens, not only for his professional abilities, but also for the sympathetic and conscientious manner in which he cared for his patients. In 1848 he was elected a member of the state legislature.

Dr. Hiram Webster began the practice of medicine in the year 1825, at Kingsville. He was born in Lanesborough, Massachusetts, May 17, 1800. Five years later his father removed to Franklin, New York state, but remained only a short time. From there he came to Ashtabula. In 1809 he settled permanently in Kingsville. Dr. Webster, after receiving his medical education, commenced practice at the age of twenty-five. He continued in Kingsville until 1854, when his son, Dr. E. M. Webster, relieved him.

Dr. Edwin W. Cowles, who was born in Bristol, Connecticut, in 1794, came with his father, Rev. Dr. Cowles, to Austinburg, in 1811. He received his preliminary education at the Academy of

Farmington, Connecticut, and later studied medicine with Dr. O. K. Hawley of Austinburg. He began the practice of medicine in Mantua, where he remained until 1832, when he removed to Cleveland. After two years spent here he went to Detroit, but remaining only four years returned to Cleveland, where he spent the rest of his life.

That Dr. Cowles was a man of marked courage is shown by the attention he gave to the passengers of the ship *Henry Clay*, which reached here, infected with cholera, in 1832. The citizens of Cleveland had previously voted that no infected ship should be allowed to land her passengers here. There were only two dissenting votes, and these were those of Thomas P. May and Dr. Cowles. On the arrival of the ship Dr. Cowles was summoned, and since the ship was compelled to leave he bravely volunteered to accompany her to Detroit, which he did, rendering any service within his power to the unfortunate passengers.

Dr. Cowles was an enthusiastic anti-slavery advocate, and active in the support of the anti-slavery party, being also a member of the "old Liberty Guard," and he aided many a fugitive to gain his freedom. Another in writing of Dr. Cowles has said of him:

In all walks of life he was distinguished for his moral rectitude, honesty and incorruptible integrity. As a gentleman of general information he rarely met his peer. He never forgot what he read, and it was this gift that made him the remarkable conversationalist and controvertist that he was. He was a devout and active member of the Congregational church, and one of its most valued supporters.

He died in June, 1861, at the resi-

dence of Mr. Edwin Cowles of Cleveland.

A prominent physician in Conneaut was Dr. Greenleaf Fifield. Born October 27, 1801, in Vermont, he came with his father to Ohio in 1814, but later returned to Vermont for the study of medicine, and graduated at Castleton in August, 1822. Coming to Ohio he settled in Monroe but remained there only one year, after which time he removed to Conneaut, where he pursued his profession until the time of his death, June 27, 1851.

Dr. Fifield was a man of unusually fine personal presence, and above the usual height. He carried on an extended practice, and was looked upon as the leading surgeon of his section. Many stories are remembered of him, but there is one which has been widely told, and which we have heard as long as we have known his name.

A lake captain, Alanson Tubbs, had by the doctor's order applied to his hairy chest a hemlock gum plaster. According to the habit of plasters, this clung especially closely. Not being able to remove it, the sailor applied to Dr. Fifield one day concerning it, as the latter was driving along one of the chief streets of Conneaut. While the sailor was standing behind the doctor's gig the doctor carefully examined the plaster, and having detached it sufficiently to get a firm grasp, he quietly started his spirited horse. The fast flying steed was followed by the sailor in a vain attempt to escape the pain caused by the rapidly advancing doctor. But the

horse was too rapid, and the plaster came off, much to the discomfort of the patient and the amusement of the bystanders. The captain used to tell the story, and added that the joke so hugely enjoyed by his friends was the cause of a large outlay for drinks on his part.

It is said that Dr. Fifield was a man full of kindness to his patients, and that he practiced much selfdenial in their service. He was especially lenient in his collections. He was followed in practice by his son, Dr. Amos K. Fifield.

That portion of the western reserve lying west of the Cuyahoga river was not settled at so early a day as that east. Those who settled there previous to the war of 1812, were greatly disturbed at the surrender of Hull at Detroit. As a consequence the settlement of physicians in this section was more recent than that of those further east. So far as we can ascertain, the first physician to locate in Lorain county was Dr. Daniel J. Johns, who came to Wellington about 1818, where he is still living at about the age of eighty-nine years. He was born in Stockbridge, Massachusetts, and received a good education in the common schools and an academy. His medical studies were first with Dr. Humphrey of Saulesbury, Connecticut, and later in the medical department of Yale college during the season of 1817-18. A sensation was created in the latter place by the securing of some anatomical material, and it was alleged that Dr. Johns was connected with the affair. The laws upon this subject were very severe, reaching even to disfranchisement. Fortunately

for Dr. Smith, the officer who was to make the arrest sent him word in advance so that he had an opportunity to escape, and at this time he removed to Ohio and settled in Wellington, being the first white man to locate in the township. Yale College afterward forwarded to him his diploma.

Dr. J. W. Smith of Wellington, in writing of Dr. Johns, says:

He has very distinctive characteristics, of much more than ordinary intellectual capacity and alertness to perceive and compare, with habits of industry, and a strong, loyal heart for the interests of humanity a phenomenal memory and a long life, he has been in a high degree a useful man. His powers of endurance have been great and his ride has extended all over and beyond the county lines. Of the hardships endured no one can adequately speak. His kindness of heart, unending deeds of charity, courage in searching his patients by day and night, have made him a central figure in this region, and one on whom more thoughts and hopes have centered than any other man. Other needs of the community than medicine have found in him potent aid; and the interests of education, religion, good order and sobriety have been conserve by him.

One of the earliest physicians of Norwalk was Dr. Daniel Tilden. Concerning him we have been able to obtain few facts. If we are properly informed, he was not a young man when he settled in Norwalk. After practicing there for a time, he removed to Sandusky. Associated with him in practice was William F. Kittridge, who married Dr. Tilden's daughter in 1834.

Dr. Kittridge was born in Deerfield, Massachusetts, being descended from a family of distinguished physicians. Shortly after his birth, his parents removed to Pittsfield, where the old family mansion still stands. Where he re-

ceived his medical education we are uncertain, but think he was a graduate of Berkshire Medical college. Soon after his graduation, at the age of twenty-one, he removed to Norwalk. This was in 1825. As we have already said, he entered into partnership with Dr. Daniel Tilden. The two did a large practice, their ride extending from Fremont on the west to Oberlin on the east, and Shelby and Mansfield on the south.

On the prairie land west of Norwalk malaria was then very prevalent, as it was first subjected to cultivation, and sometimes there would be scarcely a house without one or more sick, and it was with difficulty a sufficient number of well people could be found to care for the sick.

The doctor's first wife died shortly after their marriage, leaving a son. In 1837 he married Laura Tilden, a cousin of his first wife. Dr. Kittridge's health failed in 1850, and soon after he gave up active practice. In 1854 he married Mrs. Caroline Benedict. Removing to Cleveland, he resided there several years, but returned to Norwalk and died there in 1877, at the age of seventy-four years.

Dr. George G. Baker was born at Montville, Connecticut, December 19, 1798, being the eldest of eight children. At the age of sixteen he entered the Academy of Plainfield, then noted in eastern Connecticut. To show the difficulties under which he acquired his education, he used to tell of his weekly journeys on foot from Plainfield to his home in Montville, "a distance of thirty

miles," for the purpose of saving himself the expense of paying for his washing and mending.

After leaving the academy he taught school in winter and worked at home in summer, until he decided upon the study of medicine. He pursued his studies first at New Haven, and later at Bowdoin college, Maine, where he took his degree in 1821. In 1822 he came to Ohio in company with Mr. Joseph Otis and located at Berlin Heights, a township then called Eldridge. Dr. Baker immediately commenced the practice of medicine, sometimes walking, or, when one of Mr. Otis' horses was not in use, riding it, sometimes carrying, on a pillion behind him, Mrs. Otis, his cousin, that she might aid him in caring for some sick one. His practice increased so that he was soon able to purchase a horse of his own. In Vermillion he became acquainted with and, in 1826 or 1827, married a Miss Ann Crane. For a time he had his office at the house of her father, Esquire Crane, but in 1830 built a good residence at Florence Corners, having bought a farm of one hundred and fifty acres. In the spring of 1837 he sold his farm and removed to Norwalk, where he continued practice until 1846, at which time he went abroad. In 1857 he was appointed consul at Genoa, and in 1861 he received from President Lincoln the appointment of consul at Athens.

Returning from Europe in about 1870, he sold his residence in Norwalk as a site for the Presbyterian church, and removed to Norwich, Connecticut, near

his old home in Montville, where he remained until the time of his death, April 27, 1877. His wife lived until 1880.

An old acquaintance of over forty years' standing, in writing us concerning Dr. Baker, says :

He was a man of fine presence, very quick in all his movements, prompt and active both in mind and body, very successful in his practice, a shrewd business man, and a success financially. His friendship was invaluable, true and reliable. Under all circumstances he despised dishonesty, trickery and humbug in every form, and was not content when becoming assured of it himself until he had exposed the authors, and in their presence revealed his knowledge of them, whether they liked it or not. He was a good and true friend to the poor and needy, never exorbitant in his charges, and always ready by word and deed to relieve their necessities. His accounts and notes against his creditors were often liquidated by a receipt in full whenever he learned that a misfortune had overtaken them.

Dr. A. B. Harris came to Milan about 1827-28 and remained there until his death in 1844. He was a man highly respected and much beloved, and his funeral was largely attended, especially by the poor. We have been unable to obtain any further facts concerning him.

Another prominent physician in the vicinity of Norwalk, was Dr. Moses C. Saunders. Born in Milford, Massachusetts, in 1789, he removed with his parents to Saratoga county, New York, while still a youth. Having acquired a good English education, together with some knowledge of the construction of Latin and Greek, he commenced the study of medicine, and later attended lectures in New York, gradu-

ating from the university at a time when Dr. Valentine Mott was at his prime. He commenced the practice of medicine in Galaway, but in 1818 removed with his father to Peru, Ohio, in which place, with the exception of three years spent in Norwalk, he passed the remainder of his life. He married Miss Harriet Thompson, who lived but eleven years, dying in 1829 and leaving him with three children, one of whom is Dr. J. C. Saunders, now of Cleveland.

After Drs. Kittridge and Baker retired from active practice, Dr. Saunders was strongly urged by the citizens of Norwalk to move to that place. He did so, but remained there only three years, preferring, as soon as his son could take his place, to return to his old home in Peru. Dr. Saunders' second marriage was in 1831, to Mrs. Pearly C. Douglas of Elyria, who survived the doctor some ten years.

Dr. Saunders was for many years one of the censors of the old Western Reserve Medical College of Cleveland and served one term as representative in the state legislature. He was a man distinguished by many admirable qualities. A lover of nature, his garden produced the earliest and choicest fruit and flowers. Fond of music, he led for many years the choir in the Presbyterian church, of which church, during the latter part of his life, he was a member. He also played the violoncello. The new country in which he practiced made it necessary for him to endure many hardships, but he did so cheerfully, caring for rich and poor alike. As an instance of this, when lost in the

woods one dark, rainy night, he unsaddled his horse and, leaning against a tree and making a roof of his saddle, waited for the dawn.

Dr. Saunders was a man of high character and sterling attainments, being universally esteemed. After a sickness of six weeks he died May 18, 1856. A professional associate of Dr. Saunders, in writing of him, says:

Dr. Moses Saunders was undoubtedly the equal, if not superior, of any other physician in Norwalk or vicinity in the estimation of all his professional brethren. As a physician he was eminently honest; as a counselor, very suggestive, and his suggestions usually valuable. Drs. Saunders, Baker and Kittridge were the leading men in the profession in their day.

A prominent figure in Poland, Mahoning county, for almost two generations, has been Dr. Eli Mygatt. Having had a large practice, and being a man of marked personality, he has been widely known. A rare story-teller himself, he has also been the subject of many more. Only a few months before his death we visited him and, with several friends who were well informed in pioneer events, enjoyed a long conversation with him, finding his mind active and his memory remarkable for recalling facts, dates and names.

Dr. Mygatt was born in Canfield in 1807. In order to pursue his studies he went to Hudson, where he received instruction from a Rev. Mr. Hanford, who had previously been in Canfield. This was before the establishment of the college at Hudson. In 1824 he received an appointment as cadet at West Point. Here he was a classmate of Jefferson Davis. The doctor was fond of telling

anecdotes of Davis, whom he said was "a waspish little fellow," and the quick temper of both was the cause of frequent ruptures between them, and the doctor used to say he had often thrashed Davis.

The doctor remained at West Point but one year, leaving there with the hope of receiving an appointment at Annapolis. Failing in this, he made two trips to England before the mast, in 1825 and 1826, and this, he says, was enough to cure him of all desire to follow a seafaring life.

Dr. Mygatt began the study of medicine with Dr. Fowler of Canfield. In the winter of 1826-7, as well as the following winter, he attended medical lectures at the medical school of Fairfield, New York state, where there were about two hundred and fifty medical students, beside other departments of instruction, raising the number of students in the small town to about five hundred. Here he was under the instruction of Professor De Lamater, who was then professor of theory and practice. Dr. Mygatt began practice in Poland in 1829, Dr. Kirtland sending for him at the time when the latter was to attend the session of the legislature at Columbus. Dr. Mygatt received word to come on Saturday. He reached Poland and visited one patient with Dr. Kirtland on Sunday, and on Monday Dr. Kirtland took his departure. The two were associated together until 1835. Dr. Mygatt continued in practice in Poland until a

few years before his death. He received an honorary degree of M. D. from Western Reserve Medical college in 1850.

Among the many stories which Dr. Mygatt used to tell was one illustrative of early practice when emetics were in vogue. Being called to a woman who said she could not take an emetic, he quite agreed with her that it was unwise for her to do so. At the same time he gave it, and when it began to act, said he must give her something more to stop it. Thus continuing his medicine to stop the nausea, he succeeded in administering a dose which was quite satisfactory to himself, if not to his patient.

In speaking of charges, Dr. Mygatt said he used to get from three shillings to fifty cents a visit in the village, and furnish medicines. Dr. Manning used to charge two dollars to come from Youngstown to Poland in consultation.

In the old brick store in Poland no story-teller received a more attentive hearing than the doctor. Quick at *repartee* and of sharp insight, all were afraid of provoking a sally of his wit at their expense, while his fine intellectual powers and wide information made him a man of large influence. Practicing over a period of more than fifty years, he acquired an experience such as is possible to few, and he will long be remembered as one of the most prominent figures that ever lived in Poland.

DUDLEY P. ALLEN.

THE JUDICIAL SYSTEM FROM THE EARLIEST COLONIAL PERIOD TO THE PRESENT TIME.

IN the very earliest settlement of what is now the state of Michigan, St. Joseph and Michilimackinac were the first military stations, the latter being the principal post. Detroit was the first post designed by the French to become a permanent town. Trade, mechanics, farming, and some few other industries soon started up. Of course some sort of courts had to be established, and the colonial authorities appointed judges or commissaries. The intendant of the post seems to have been at the head of the ordinary judicial system, and his delegates were probably the principal local judges wherever they were sent. French law prevailed. There is no record yet come to light showing the early existence of any court at Detroit. The first sign of any civil magistrate residing is that of Robert Navarre, royal notary and sub-delegate of the intendant who came about 1730. The scanty records indicate that there were some other gentlemen who exercised judicial functions. Pierre St. Cosme is spoken of in the Pontiac diary as former judge, succeeded by Mr. LeGrand. Both were gentlemen of high social standing.

After the English rule was permanently established by the treaty of 1763, justices of the peace were early appointed as examining magistrates. Such courts as existed were provisional and

given a very limited jurisdiction, and there was great complaint on account of the lack of judicial facilities. The local commander was invested with supreme local power. The merchants formed arbitration boards for the settlement of difficulties among themselves, and criminals were sent to the seat of government in Canada for trial. Judges seem to have been appointed for this region, but none ever came. Capital punishment was inflicted in three cases under sentences of Philip de Jean, a justice of the peace. He was subsequently indicted by the Canadian authorities for the murder of these men, but he was captured in the Kaskaskia and Vincennes expedition under Governor Hamilton and held in close custody by the Virginia authorities, and seems never to have returned to Detroit.

The celebrated Quebec act of 1774 provided that the civil law of Paris and the criminal law of England should prevail in this region. In 1788, at the close of the American revolution, this region was formally included in the district of Hesse, and Detroit was made the seat of justice. William Dummer Powell was the first judge who presided over this court, and afterward was chief justice of Upper Canada. From this time on the courts sat regularly. Besides the first court there were courts

of common pleas and quarter sessions. The common pleas judges were all reputable laymen, and the court was held in high esteem. Louis Beaufait was the first chief judge, and James May, Patrick McNiff, Charles Girardin, and Nathaniel Williams were associates. All were old citizens familiar with French and English, and allied by marriage or blood with the French inhabitants. Things continued in this shape until Jay's treaty went into operation, in 1796, when the British courts were removed to the other side of the river.

Then for the first time the country came under the control of American institutions. Michigan formed a part of the Northwest Territory set apart under the famous ordinance of 1787. Under it the governor and three judges, appointed by the President and confirmed by the senate, were made a legislative board and were given judicial powers. Winthrop Sargent, acting governor, set apart Wayne county, which comprised northern Ohio, Indiana and Illinois, and all of Michigan and eastern Wisconsin which contained settlements. The judicial system of the Northwest Territory became operative, and included the supreme court, common pleas, probate, and orphans' courts and quarter sessions. Annual sessions of the supreme court were held at Detroit by one of the territorial judges. The common pleas court and quarter sessions continued substantially as before, and with the same judges and justices, who also performed probate duties. Under all the territorial systems all the local officers

were appointed by the governor until the latter days of the territory.

Solomon Sibley and Elijah Brush were the earliest members of the bar who came to Detroit. Both came from Ohio. Mr. Sibley filled various important positions, being twice chosen delegate to congress, and was also judge of the supreme court during the latter years of the territory. He was one of the wisest and ablest men that ever lived in Michigan. Colonel Brush was territorial attorney-general. In the early part of 1805 the territory of Michigan was formed, and for the first time we find a course of civil administration that left its mark on the subsequent career of the state. The features of the French system became gradually extinguished, and the whole judicial system became fashioned in accordance with the common law in England.

The supreme court was the only one created directly by the territorial organic law. Justices tried small civil cases, and district courts had general jurisdiction and also looked after probate proceedings. Four districts were created, and a court held in each, at first presided over by a judge of the territory and afterwards by lay judges, a chief and two associates. In 1810 the district courts were abolished and their jurisdiction divided between the supreme court and justices of the peace. Detroit was incorporated before the creation of Michigan territory. It was made a city in 1806. The reign of the governor and judges was distinguished by persistent and disgraceful quarrels among themselves. Judge Witherell was the

only one who retained public respect. This state of things continued under Governor Hull's administration, but was somewhat improved under that of General Cass.

The court displayed learning and ability in its action and decided some important cases, among others one relative to the status of slaves held before Jay's treaty within the territory. Under General Cass the political system was steadily modified towards an American mode of procedure. County courts, with original jurisdiction, were established, having one chief and two associate justices, who were usually (although not required to be) laymen, and and who were invariably business men. These courts were generally esteemed. In 1817 a court of quarter sessions was created, composed of the county judges and justices of the peace, and required to look after county business, such as assessing and raising taxes, and organizing townships, the latter to be sanctioned by the governor before becoming operative. In 1818 the people by a popular vote decided against having a territorial legislature. County commissioners appointed by the governor afterwards superseded the quarter sessions.

In 1823 a radical change took place. Congress decreed that there should be a territorial legislature in the form of a territorial council. Eighteen persons were to be elected, from which the President was to choose nine, who were to be confirmed by the senate. This body was clothed with general legislative powers. In 1827 the people were

allowed to elect their own council without the intervention of the President. In 1823 the building of a court house was begun in Detroit, under an appropriation of lands made by congress. This was built by Thomas Palmer, father of our present senator, who took the lands for his pay. The building was used by the territory as a court house and council chamber, and by the state without any apparent authority as a capitol, to the exclusion of the courts. After the capital was removed to Lansing it was used for school purposes, the first union school in the state being held there. The present Detroit high school is located on its site.

The judges of the territorial supreme court as finally established by congress, running from 1824 to the time of the admission of the state, consisted of James Witherell, Solomon Sibley, John Hunt, Henry Chipman, William Woodbridge, George Morell of New York, and Ross Wilkins of Pennsylvania. When the state was admitted into the Union Judges Sibley, Morell, and Wilkins composed the court.

In 1828 circuit courts were created with appellate jurisdiction over the county courts, with concurrent original jurisdiction up to one thousand dollars and exclusive beyond it. Both had criminal jurisdiction. A judge of the supreme court held the circuit court of each county. In 1833 a new system of circuit courts was created, having a circuit judge, who was required to be a lawyer, and two associates, who might be laymen. Any two might act except on trials of felony, when the circuit

judge must be present. The county courts were abolished. The old circuit courts presided over by supreme court judges, were retained and called superior circuit courts with appellate jurisdiction over the new ones. Chancery powers were also given to the supreme and circuit courts. The statute conferring this power was drawn up under the direction of Elon Farnsworth, the subsequent chancellor. In 1835 the office of register of probate, which had exercised some probate jurisdiction, besides recording deeds, was abolished and the powers divided between judges of probate and county registers.

No further changes were made in the judicial system of the territory.

The first legislature under the new state constitution met in November, 1835. At an adjourned session in February, 1836, laws were passed to organize the supreme and circuit courts and a court of chancery to come into existence after July 4, 1836, when the jurisdiction of the territorial courts was to cease.

When the constitution of 1835 was adopted, the territory of Michigan had received so large an increase of population from other parts of the United States that the whole public system had become orderly and adapted to all the conditions of local self-government. Counties, townships, road, and school districts, and all the judicial machinery corresponded substantially with what might be found in New York or New England. In the main, things had been patterned after New York, from which the largest immigration had come. But

the territorial officers were always inclined to perpetuate their own early institutions, and as they were of various origins, the result naturally followed that here were some incongruities. New York and Massachusetts were followed more than all the other states, and there are still easily detected systematic portions of legislation traced to those separate sources. Particular statutes were borrowed from all sources.

It became necessary at various times during the territorial period to gather together the scattered laws, which had become confused by the careless methods of the first period of governor and judges, and still more so by the independent way in which Judge Woodward and his ally, Judge Griffin, disregarded all laws which they did not fancy. Between the organization of the territory and the adoption of the state constitution there were five different collections published, and of these none prior to 1827 was complete. In 1806 a collection was made, including thirty-four laws passed in 1805, which was accurate as far as it went, but which gave no light concerning the old laws in force. The condition of things was not very favorable for enabling the people to understand the laws. There were very few in the territory who understood English. There were no newspapers, and no other means of spreading intelligence. This volume was printed in Washington and was not published until many more statutes had been adopted, some of which materially altered the former ones. Between this time and 1816 the changes became numerous and

the conflicts and inconsistencies very great. Of this new legislation much was never published at all, and remained unknown. Most of the acts were not brought to public knowledge for long periods, and many were repealed before any one ever heard of them. Eighty were never put in print, so far as known, until 1884, when they were published in a supplementary volume to the recent reprint of territorial statutes. Nothing but the healing power of time and the operation of limitation laws has prevented the ignorance of some of these enactments from making mischief.

In 1816 a synoptical arrangement of the substance of the laws supposed to be in force in that year was printed. Very few provisions were printed in full, and several statutes were not found.

In 1820 the condition of affairs was brought to the attention of congress. That body appropriated twelve hundred and fifty dollars, and required all laws in force to be published together under the supervision of the territorial authorities. At that time William Woodbridge was secretary—afterwards judge, governor and state senator. The result was a well edited compilation—then supposed to be complete—of existing laws, known as the compilation of 1821. The legislative council, which held its first session in 1824, caused the session laws to be published regularly, but it was discovered that acts still existed which were not in print, or not known, and litigation frequently arose which brought out surprises. To put an end to this mischief, it was determined to

supersede all the existing volumes by a new and complete revision.

On the twenty-first of April, 1825, a resolution was adopted appointing William Woodbridge, Abraham Edwards, John Stockton, Wolcott Lawrence and William A. Fletcher a commission to revise the laws. Asa M. Robinson was afterwards put in place of Mr. Woodbridge, who resigned. The resolution very carefully indicated what rules should govern the work, which were in substance these: All acts concerning the same subject were to be digested into one act. The commission was authorized to follow the principles of existing acts or to make such alterations and additions as should be deemed expedient. Unnecessary acts might be left out, and the deficiencies supplied. The result was to be certified to the legislature for consideration.

The commission prepared what is now known as the revision of 1827, in which, while conforming in most things to the old system, nearly all important measures were put in the shape of new separate enactments, drawn with skill, and leaving out very few things of consequence. It was enacted substantially as reported, and in order to prevent any further evils from ignorance, it was provided that all acts not therein specified should be repealed. The territory thus had for the first time a complete code of all its existing laws. In 1833 a smaller compilation was published, including some later statutes and some reprints of older ones. Most of the legislation after 1827 was special, but

some general laws were passed, the most important of which was a ten-years' limitation law, applicable only to existing cases, and containing no saving clauses. The previous laws had failed to cover the whole ground, and antiquated land claims, with no particular equities, had been used in some cases for extortion.

The first legislature went actively to work to get the new state government into working order.

The courts of record which were provided for were the supreme, circuit and probate courts, with substantially the same powers as the old courts except in equity. A separate court of chancery was established, from which an appeal lay to the supreme court. Pending cases were transferred to the new courts. The judges and chancellor were appointed by the governor and senate for periods of seven years.

The first supreme court consisted of William A. Fletcher, chief justice, and George Morell and Epaphroditus Ransom, associate justices. Each was assigned to a circuit. Wayne, St. Clair, Lapeer, Michilimackinac and Chippewa, with the country attached to each, formed the first circuit, presided over by Judge Morell. Monroe, Lenawee, Washtenaw, Oakland, Saginaw, Jackson and Hillsdale formed the second circuit, allotted to Chief Justice Fletcher. Judge Ransom held the courts in the third circuit, consisting of Branch, St. Joseph, Cass, Berrien, Kalamazoo, Allegan, Calhoun and Kent, with attached territory. One term of the supreme court was held annually in

Wayne, Washtenaw and Kalamazoo. Terms of the circuit court were held once or more, annually, in each county. Two associate judges were elected in each county every four years to sit in the circuit court, but in case of their absence a judge of the supreme court could sit alone. These associates were not generally lawyers.

Judge Sibley, for personal reasons, did not desire an appointment to the state bench. He was a man of great ability and wisdom, and had universal confidence. He lived to an advanced age.

The chief justice was an old resident of the territory, who had held judicial offices and had done most of the work of compilation of 1827. Judge Morell had been nominated by President Jackson, with Judge Wilkins to succeed Judge Chipman and Woodbridge in 1832. He was a native of Berkshire county, Massachusetts, but received most of his legal training in New York, where he was a fellow-student with Governor Marcy and Chancellor Walworth, and where he obtained a good reputation at the bar and in various offices in public life. He was one of the most thoroughly trained common lawyers in the state, and transacted business with readiness and accuracy. His circuit was the most laborious of all, and his work was promptly and well done. Upon the resignation of Judge Fletcher, in 1842, he was made chief justice for the remainder of his term. Judge Ransom came to Michigan not far from the close of the territorial period, having been a successful practitioner in New England. At the close

of his first term in 1843 he was made chief justice to succeed Judge Morell, and continued to fill that office until he became governor, January 1, 1848. He was much respected for ability and uprightness and exercised his judicial functions acceptably to the people and the bar. He was a man of good common sense as well as legal sufficiency, and had great personal popularity.

Judge Wilkins was appointed district judge of the United States for the district of Michigan several months in advance of the admission of the state, and did not become a member of the state judiciary. He remained in office until 1870, when he retired on full pay, having reached and passed his threescore years and ten, and having served thirty-eight years on the bench in Michigan. He was a member of the constitutional convention which in 1836 rejected the proposition of congress to give up the disputed territory to Ohio in exchange for so much of the upper peninsula as was not within the state boundaries. He was also one of the persons who called shortly thereafter the irregular body known as the frostbitten convention, that undertook to accept the congressional scheme on their own responsibility, and got the state into the Union through the back door. He took an interest in most public matters, and was a very useful regent of the university. In private life he was genial and humorous.

The first chancellor, Elon Farnsworth, was admirably fitted for his office. He was a thorough scholar as well as lawyer, with cool judgment and intimate knowledge of men, and an enlightened

sense of justice. Under his careful administration the equity system became well adapted to the necessities of the community and divested of unreasonable conditions and vexatious delay. Very few of his decisions were reversed, and still less ought to have been. He belonged to the same class of wise and sensible jurists as Chancellor Kent, whom in character and attainments he closely resembled. He gave up his office before his term expired, and was succeeded by Randolph Manning, who himself resigned in 1846, upon the action of the legislature looking to the abolition of the court, and Chancellor Farnsworth reluctantly accepted a reappointment in the hope at the bar that his popularity might induce the restoration of that tribunal. The tide, however, has set in another direction and could not be turned. Chancellor Manning was an able and upright judge, who had filled other offices usefully and made an excellent chancellor. Unfortunately during his term there was great occasion for severity in dealing with a good many frauds and corporate insolvencies, growing out of the general business disasters, and he became more or less obnoxious to some influential persons, who opposed him strenuously. With all his firmness and positiveness he was a warm-hearted and generous man, who was held in the strongest esteem by those who knew him best.

The system of practice was slowly simplified and rendered less cumbrous. Judge Morell and Chief Justice Fletcher were both thoroughly trained under the

old systems, and were quite averse to serious innovations. Fortunately, it happened about this period that the English courts adopted a series of rules for the simplification of pleadings and practice, and after a sharp struggle the new methods were introduced here. The process has gone intelligently on until our present system is quite free from defects of any sort.

One of the first things to which the attention of the legislature was called was the necessity for a revision of the laws, and Judge William A. Fletcher was appointed for that purpose. His report was submitted and adopted in November, 1837. It was unfortunate. There were many important changes and omissions which were not noticed at the time by the legislature. In some cases the positive instructions given the reviser were disregarded. He had, for instance, been distinctly directed by the legislature to provide for the abolition of imprisonment for debt. He did nothing of the kind. In many other things he followed his own inclinations and ideas, and thus introduced many important changes. The arrangement and printing of this code was assigned to two commissioners appointed by the governor—E. Burke Harrington and Elijah J. Roberts. Owing to the ill health of the latter, the former really performed the work. It was issued just before the legislature of 1839 assembled, and much of the time of that body was spent in rectifying the mistakes and supplying the omissions of this unfortunate revision. The session laws of 1839 bear witness to this work.

In 1838 it was found necessary to enlarge the judicial force and Charles W. Whipple was added to the supreme bench, and a fourth circuit was created, over which he presided. Alpheus Felch succeeded Judge Fletcher in his circuit, and Daniel Goodwin took the place of Judge Morell. Judge Felch and Judge Goodwin are still among us in the full vigor of their mental powers. Judge Felch, who had previously been auditor-general, was, during his judicial term, elected governor, and then United States senator, and still later commissioned to investigate land titles in California, and in all of his life has been distinguished for diligence, capacity and fidelity. Judge Goodwin, who has also filled several important Federal and state offices by appointment or election, resigned his position on the supreme court bench after a comparatively short service. He was afterwards president of the second constitutional convention, judge of the district court of the upper peninsula till it became a circuit, and thereafter circuit judge through various terms, retiring at the last judicial election after a long and honorable service seldom equaled. The old supreme and circuit court system continued until the constitution of 1850, Judges Warner Wing, Abner Pratt, Sanford M. Green, George Miles, Edward Mundy and George Martin at various times forming parts of it. Judge Mundy, the first lieutenant-governor, was appointed as a fifth judge in 1848. In 1849, by a constitutional amendment submitted and in due time adopted, the office was made elective, and George Martin was the

only member of that court who was elected and not appointed.

In 1846 Sanford M. Green was appointed to make a new revision of the laws, which he did in a very careful and symmetrical manner. The legislature in adopting it, however, interfered very seriously with its harmony of arrangement. Among other important changes introduced were the abolition of the court of chancery and the creation of elective county courts with first and second judges, having original civil and criminal jurisdiction. The chancery business was transferred to the circuit courts. The effect of this sudden change at the time was very bad, as the common law business was given the preference and the important and numerous equity cases encountered prolonged and serious delays. The chancery practice had also been a very distinct one up to this time, and a few lawyers devoted themselves to it, while the larger number of members of the bar had no special acquaintance with this branch. Every clerk of the court was also made by these changes a register in chancery, and this added to the confusion. It took a long time to get the mixed practices into working order. The county courts, as a body, also turned out badly. In spite of the good work of some excellent judges, there were no lamentations when these courts ceased to exist.

Capital punishment was abolished by the revision of 1847, and then, as now, there was much division of opinion upon it.

In 1849 a constitutional amendment

was adopted providing that all judges should thenceforward be elected by the people.

The constitutional convention of 1850, which adopted our present constitution, contained a very large number of members zealous for novelty. It also had many of the most experienced and statesmanlike citizens of the state. A natural result was that some very radical changes were made, but little, if anything, which could be called revolutionary affected judicial matters. The most unpleasant features were a too great attention to details in grants and limitations of power, which have on some occasions endangered the public welfare for lack of discretionary authority in the legislature. Attempts to fix salaries and some other things which depend very much for their adequacy on changing circumstances, have led to some evil. But a thing which struck many persons unpleasantly was the number of provisions which seem to indicate that it was supposed the people could not trust their agents and representatives. There are few constitutions which have created so much litigation concerning the validity of legislation. Much of this difficulty has been modified or removed by the lapse of time and the instinctive adaptation of popular ways to their surroundings. It has, as a whole, been a useful instrument. The evident unwillingness of the people to give it up entirely for a new one, shows that it is thought better to amend than supersede it. There are two important provisions which bear upon the statutes. One forbade the passing of

laws with double objects or misleading titles, confining every act to the single purpose suggested by its title. This was an excellent rule, and prevented some frauds and much needless legislation. The other prohibited revisions of the statutes and authorized compiled reprints of existing laws when needed. Such a compilation was authorized and carried out by Judge Cooley in 1857, whose excellent arrangement, based on the revision of 1846 as far as possible, was adopted in the second compilation of 1871 by Judge Dewey. A private enterprise since of Judge Howell's, on the same plan but annotated further, is in general use and well executed.

The repeal of the constitutional requirement of presentations of crime by grand juries has led since to a practical abandonment of that system, although not absolutely abolished. The present generation can hardly appreciate either side of the argument. The assaults made upon the system as inquisitorial are in direct variance with the fact that it has been generally insisted on as a safeguard against official oppression. The average American freeholder is not the stuff inquisitors are made of. It is certainly a questionable policy which makes the prosecution of criminals depend on the will of a single justice of the peace and a prosecuting attorney. In many cases it probably is not of much importance. But experience has shown that there are some classes of crimes and some classes of criminals against which the public itself requires the aid of a substantial and fearless tribunal of accusa-

tion. There are powerful single and banded criminals against whom injured parties are afraid to complain before a magistrate, and who are known in every large community to count on their immunity from prosecution. Crimes against the election laws, which are the most dangerous of all in their public tendency, are of very frequent occurrence, and are very seldom complained of. The inefficiency of such grand juries as are now and then summoned is chiefly due to their inexperience. If the law required them to be summoned often enough to make their duties familiar, they would be a very great help to putting down crime, and inspire a wholesome caution in presumptuous wrong-doers.

The provision which allows cases to be heard by judges without juries, where parties do not choose to ask them, has never been complained of. There are many cases where a jury would be of no service. The right to demand one ought never to be denied, and there are cases where the intervention of a body of ordinary men, dealing only with facts, is essential to justice.

There is one constitutional provision which has never been carried out, and which deserves serious consideration. That is the provision which declares that "the legislature may establish courts of conciliation with such powers and duties as shall be prescribed by law." It seems to have been supposed that so long as parties can arbitrate, they need no other friendly tribunal. But when courts of conciliation exist it may be, and frequently is, made obligatory to

resort to them in the first instance—even if parties should not be absolutely bound thereafter to abstain from further litigating, and a fair decision once made will have an effect in bringing parties to reason.

Those who have watched the course and causes of litigation, know that a great share of it arises from misunderstanding. This is particularly so in matters arising out of agreements and larger or smaller business relations. We do not appreciate the fact that while no rule of law can have more than one true meaning, it is not only possible but common for men to enter upon business relations with each other without having in their minds any complete identity of understanding. While courts and the state cannot under ordinary circumstances release anyone from the obligation of informing himself what the law is, yet in law, as in all other sciences, definitions are apt to be understood in the light of previous impressions upon the meaning of words and phrases, and the same maxim does not present the same idea to all minds. The most important advantage of the jury system is that juries understand and apply rules as they are commonly understood by the mass of society, and so harmonize legal obligations with the general sense of mankind. The beauty of the common law is that it is not abstract, but is found in practical applications of right and duty.

The necessity for such a remedy has been found most commonly where numbers of people have similar interests and employments. It has existed in France

for a long time, and has been applied to several classes of cases. The members of these tribunals are there called *prud' hommes* (men of experimental knowledge). As long ago as the time of Philip the Fair, in the thirteenth century, a council of twenty-four *prud' hommes* was formed to decide controversies between manufacturers and traders dealing in their wares. The first French republic created similar boards to dispose of ordinary differences between masters and workmen or apprentices. In 1806 provision was made in like manner for the important manufacturing city of Lyons, with power to extend it to other industrial towns. Several of these bodies were organized in Paris from 1844 to 1848 for metal workers, weavers, chemical works and builders. The maritime towns have for a great while without legislation had such tribunals among the fishermen. The modern French councils are said to be composed of representatives of employers and employed, chosen by their orders. One-third go out of office annually. Their duties are confined to questions relating to the business. The old fishery boards are supposed to have suggested the others, and are said to have been first known in the southern ports. It is quite likely they were regulated by the ancient sea laws. These arrangements, with perhaps some variations, seemed to be regarded as desirable.

Analogous bodies are found in other countries. They are thought to be better and more satisfactory than temporary and voluntary institutions, and ex-

perience in the difficulties and grounds of difference among particular classes is of great value in enabling them to decide fairly. The effect of the permanent reference committees in our boards of trades in preventing commercial litigations in the courts of this state has been very marked.

Courts of conciliation properly organized to settle the differences of employers and employed, could hardly fail to remove any rational cause of complaint of unfairness in their mutual relations, and would have the double value of doing justice and of putting captious persons in the wrong. Sympathy would be given where it is deserved, and the common sense of the community would justify withholding it where it is not deserved. When public sentiment knows where justice lies it will not be profitable to provoke it.

With this exception, the constitution has been fairly carried out. The methods of procedure and jurisdiction were not materially disturbed from what they had been. The state was divided into eight circuits, with judges elective for six years and sitting without associates. They were then brought together in one body, and when sitting thus together constituted the supreme court. This continued until 1857, when the present independent supreme court was established. There are now twenty-eight circuit courts, besides various municipal tribunals, in Detroit and some other of our larger cities. The number of judges now sitting in common law courts is four times as great as in 1851. Business has multiplied, and there is a

perceptible increase in the prolixity of important trials.

Since 1851 there has been an important change in the law of testimony. All personal disqualifications affecting witnesses on account of interest or character have been swept away, some rules preserving confidences in families and professional advisers being wisely retained. One class of laws has given occasion for much contention—that relating to the condemnation of property for various easements and corporation uses. This grows out of too frequent changes and too little uniformity. The power is a necessary one, but should be strictly guarded. It is a question, also, whether litigation is not unduly encouraged, under our present system, by imposing no restrictions on appellate proceedings.

When the constitution of 1850 went into effect and the circuit judges and district judge of the upper peninsula were first elected, all of the existing judges of the supreme court were chosen as circuit judges, and Judge Goodwin, a former member of that court, was elected for the upper peninsula. Judge Sanford M. Green, the reviser of 1846 and judge of the supreme court under the old constitution, still presides at the circuit and still retains undiminished respect and confidence. Samuel T. Douglass and David Johnson are the remaining survivors of the first bench of circuit judges, which was made up of very able and excellent jurists. Five of them resigned during their term to return to practice. Many changes have been made since on the circuit bench and

most of them for the same reason. The state has been very well served by its circuit courts.

The supreme court as now organized of judges having only appellate duties was provided for by the legislature of 1857, and sat first in January, 1858. George Martin, of the old bench, was chief justice, and Randolph Manning (former chancellor), Isaac P. Christianity and James V. Campbell associates. Judge Manning died in 1864 and was succeeded by Thomas M. Cooley, who resigned in 1885, and was succeeded by Allen B. Morse, now in office. Judge Martin died in 1867, and was succeeded by Benjamin F. Graves (who had been chosen to the circuit bench in 1857), who retired at his own desire at the end of his term, and was succeeded by John W. Champlin of the present bench. Judge Christianity was elected United States senator in 1875. Isaac Marston succeeded him and continued in office till March, 1883, when he resigned and Thomas R. Sherwood, the present incumbent, was elected in his place.

During the existence of the state, which finished its half century of judicial experience on the fourth day of July, 1886, there has been nothing striking or startling in its court records. No judge has been removed from office or convicted of misconduct. No capital sentence has been pronounced or carried out. No person has been tried for a political offence. No court has been prevented by violence from enforcing its orders. Few conspiracies to do mischief on a large scale have created local and none general disturbance. The four years of war in which our citizens played a heroic part left no legacy of disorder, and returned soldiers have been the best guards of law and order, and have filled and are filling the most responsible offices of peace, and have shared most liberally in the administration of justice. It is perhaps one of the most comfortable assurances of public prosperity that our long judicial history is uneventful.

JAMES V. CAMPBELL.

MICHIGAN JURISTS.

THOMAS MCINTYRE COOLEY.

Thomas M. Cooley was born at Attica, New York, on the sixth day of January, 1824. His family was one of long New England residence, his first American ancestors having settled in Connecticut as early as the year 1640. His father, Thomas Cooley, was a farmer, born in Massachusetts, who removed to western New York in 1804. The elder Cooley was not a rich man, but his means sufficed to give his many children fair educational opportunities, and the subject of this sketch, endowed as he was with unusual power of mind, made effective by great natural capacity and love for work, came out from his work in the common school and the academy with a thorough mastery of the studies he had pursued, and probably a better equipment for future self-culture than had most of his fellows. His pupilage he supplemented by a valuable service as teacher of a neighboring country school—a form of post graduate training so commonly found as an element in the education of successful men. At the same time, while a pupil and teacher he was mastering the rudiments of education, he was working during every interval upon his father's farm, and accumulating the capital of health and physical vitality which has rendered possible the vast and unsparing labor of his later years.

In 1842, when not yet nineteen years of age, Mr. Cooley removed to Palmyra, Wayne county, New York, and entered the office of Theron K. Strong, later a distinguished judge of the supreme court of the state of New York, where he began the reading of law. A year later he removed to Michigan, where he continued and completed his law studies in the office of Tiffany & Beaman of Adrian, holding, meanwhile, the posts of deputy county clerk and deputy register in chancery. In January, 1846, at the age of twenty-two years, he was admitted to the practice of the law, and in December following, married Mary E. Horton.

The earlier years of Mr. Cooley's professional life were marked by many changes of residence, association and occupation. It was not the kind of life from which an on-looker would be apt to anticipate the winning of distinction or of pecuniary success. He began his law practice at Tecumseh, in January, 1846, in partnership with Consider A. Stacy. In 1848 he returned to Adrian and became a law partner of the Honorable F. C. Beaman, the firm name being Beaman & Cooley. Shortly afterward the Honorable R. R. Beecher was admitted to the partnership, the style of which was changed to Beaman, Beecher & Cooley.

Mr. Cooley was in those days a Free-

soil Democrat, and, upon his return to Adrian during the Presidential excitement of 1848, he assumed the editorial charge of the *Adrian Watchtower*, and very ably conducted that paper, in the Van Buren interest, until the close of the campaign.

In the year 1850 he was elected circuit court commissioner and recorder of Adrian; at the same time he was secretary of the Lenawee County Agricultural society, with which he maintained his association for many years. His interest in scientific agriculture has always been keen and has not been confined merely to theory. About the time of his first official connection with the agricultural society, he and his kinsman, David Horton, esq., purchased a farm of one hundred acres near Adrian, and there, in the intervals of professional and official labor, Mr. Cooley renewed his youthful familiarity with his mother-earth, and put in practice the advanced ideas which he advocated in the society.

In 1852 he removed to Toledo, intending to make it his home, and, as one biographer says, to abandon the practice of the law. Be this as it may, he was an unsuccessful candidate for election to the bench of the district court, and remained in Toledo but two years, returning to Adrian for the third time, in 1854, and forming a partnership with C. M. Croswell, who had studied law in his office, the firm being known as Cooley & Croswell. This relation continued until the year 1859, when Mr. Cooley removed to Ann Arbor, where he has since resided.

During these years, the practice of the firm was large, lucrative, and of the highest class. It has been said that scarcely an important cause was tried in the county, in which Mr. Cooley did not appear upon one or the other side. He had before made a reputation as a clever and industrious lawyer, but now he came to be recognized as a great one—marked in all his work by rare power of analysis and grasp of principle and a capacity for clear, logical and convincing statement, which gave to his natural powers their fullest effect.

An honorable recognition of his high position came to him in January, 1857, when he was chosen by the legislature for the nice and difficult duty of compiling the general statutes of the state. With characteristic energy he at once addressed himself to the task, and within a year had completed the compilation which bears his name. It was the first of the kind made, and his own first important contribution to legal literature in Michigan, but subsequent compilers have seen no cause to depart from the lines he laid down, and his work has served as a model for its successors.

With the opening of the year 1858, the supreme court, as now constituted, was organized. Mr. Cooley was made state reporter. Here again he set a standard very difficult to attain. The eight volumes of reports which bear his name are equal to any like productions ever published, and have won him wide recognition in other states, as one of the few reporters who never mistake or

misrepresent the court and whose syllabi may be safely accepted as correct statements of facts and law.

In 1864 the Hon. Randolph Manning died, in the midst of his term as judge of the supreme court, and Mr. Cooley's service as reporter was cut short by his election to fill the vacancy. He was subsequently elected and re-elected to the office, serving until the month of September, 1885, when he resigned, having still before him one term of the court before the expiration of the period for which he was elected. His first election to the bench was against the candidacy of the venerable Alpheus Felch; his second, in 1869, over the late David Darwin Hughes, an eminent lawyer, whose biography Judge Cooley contributed to the collections of the Michigan Pioneer society in 1884, and in his third candidacy he was opposed to the Hon. Henry T. Severens of Kalamazoo, now upon the bench of the federal court for the western district of Michigan.

Of Judge Cooley's judicial services it is difficult to speak in terms of exaggerated praise. He combines in himself qualities that are rarely given to one man—unerring judicial instincts, quickness of judgment, wonderful facility of expression, and a tireless capacity for work, all ornamented and directed by a learning at once wide, minute and profound. When he retired from the bench, the bar of the state purchased a magnificent portrait of him from the brush of Ives and hung it in the court room.

In the course of twenty years of judi-

cial life it has fallen to him to pronounce the judgment of the court in very many cases of the first importance, among which may be instanced, as the most striking and conspicuous, that of the *People vs. Township Board of Salem*, in which the validity of railroad aid bonds was denied, and a ruinous financial policy, which the Federal supreme court and the courts of nearly every state in the Union had countenanced, was checked. Others are *Sutherland vs. The Governor*, denying the power to control the executive by mandamus; *Youngblood vs. The Sheriff*, distinguishing a liquor-tax from a license system; *Stuart vs. Kalamazoo School District*, maintaining high schools as part of the common school system supported by taxation; *Park Commissioners vs. Common Council*, asserting the right of local self-government against a legislative attempt to compel a municipal appropriation for the purchase of a public park; *People vs. Mahaney*, sustaining the legislative establishment of a metropolitan police; *Newcomer vs. Van Deusen*, discussing the liability of a keeper of an insane asylum for detaining a sane person whom he believes to be crazy; *Allen vs. Duffie*, distinguishing church subscriptions from ordinary Sunday contracts; *Weimer vs. Bunbury*, showing that due process of law may also be summary; *Swart vs. Kimball*, declaring the right of any person accused of a penal offense to be tried in his own neighborhood; *Benjamin vs. Manistee River Improvement Company*, upholding the right to levy toll upon a navigable stream; *Macomber vs. Nichols*, protecting the

use of steam machinery in the public highways; *Ryerson vs. Brown*, denying the protection of the doctrine of eminent domain to the flooding of lands for the benefit of water-power mills; and *Gregory vs. Wendell*, and *People vs. Weithoff*, defining the dealing in grain-options and the keeping of a pool-room, as gambling. And from the drift of his opinions and other writings, he has come to be conspicuous as a strong judicial champion of constitutional rights, of local self-government, and of the freedom of the press, and in some sense as a guardian of the agencies of commercial progress and internal development.

Throughout his long service upon the bench Judge, Cooley spared himself in nothing. The duties of the high position which he held are in themselves sufficiently arduous, when stripped of every labor which the judge may properly delegate to others, but to these essential duties Judge Cooley voluntarily added the drudgery of office. He was always his own amanuensis, writing his opinions with his own hand, and often giving the court reporter the syllabus which should precede his opinions as officially published. Even when copies of his decisions or opinions were requested, they came from his pen, and every reasonable demand for an address before any public society or upon any occasion of public observance, was met with cordial acquiescence and a prompt fulfillment of his promises. He also found time for many contributions to the periodical literature of the day. Altogether, had he been less distinguished

as a judge and less fascinatingly brilliant as a writer, he might well be remembered as a man of phenomenal industry and endurance. Many years before the school of political science was created, the academic seniors in the university of Michigan asked him for a course of lectures on constitutional law, and he gave it; the alumni of the law school requested him to act as the treasurer of their organization for a time, and he did so; and when he was reporter, he furnished the newspapers with summaries of the opinions filed. Once, when a circuit judge was sick, the governor, who happened to be his old law partner, Crosswell, exercised for the first and only time in the history of the state, the statutory power of designating an appellate judge to hold the lower court, and in doing so, chose Judge Cooley for the duty. The judge held a term between terms of the supreme court, and, it may be added, experienced the instructive mischance of being reversed in the latter tribunal, for a ruling in the circuit, and that by a judge who had been one of his early pupils in the law school.

When Judge Cooley removed to Ann Arbor, it was to accept the Jay professorship of law in the then recently organized law department in the University of Michigan. This chair he held until the spring of the year 1884, and gave to the service of the school much of the ripest and best effort of his life. During the whole period of his connection with the law department, he was associated in the work with James V. Campbell, the distinguished senior judge of the su-

preme court, whose learning and culture have so strongly impressed the hundreds of students who have gone out from the university during the many years of his preceptorship. The law department has been singularly fortunate in securing and so long retaining the services of two great legal scholars, each in his way, so preëminently qualified for his post.

In 1881 a school of political science was established in the academic department of the university, and in this Judge Cooley took the professorship of constitutional and administrative law. He also delivered courses of lectures in 1878-9, at the law department of Johns Hopkins university.

As a teacher Judge Cooley holds an especially high rank, as he adds to great acquirements the rare tact of successfully and impressively transmitting his knowledge; of interesting the mind and charming the taste; of awakening even dullness and sloth to an appreciation of the beauties of legal science. As a result, his pupils have gone out into the world with a legal education founded upon the grand underlying principles of the law—an education far higher and better than the petty technical mastery of rules and precedents which marks the case lawyer.

Judge Cooley's special topics in the law school have been the law of real property, of negotiable paper, of uses and trusts, of wills, and domestic relations, eminent domain, constitutional limitations and the police power of the state. To speak of so wide a range of important topics as in any sense "special," seems absurd, yet in Judge Cooley's

case they deserve the word, not only for the reason that he has devoted to them his principal attention as a lecturer, but that he has thrown upon each so liberally the light of original thought and research. An industrious plodder might extract from the pages of text writers and reporters a very respectable and even valuable lecture upon any one of these subjects, but Judge Cooley's work was never that of a mere collector. With a wide view of all the field of the law from the high place where he himself exercised an "eminent domain," he wrote and spoke as one having authority, and every lecture of all the vast production of his twenty-five years as a teacher, is a substantial, valuable and original addition to the literature of the law, not alone fitted to enlighten the mind of the youthful student, but well calculated to enrich the learning of the leader of the bar.

Mr. Henry A. Chaney of Detroit, in an appreciative biography of Judge Cooley, to which the writer of this sketch is largely indebted, thus records a striking peculiarity of his subject:

In the quarter century of its existence, the school has sent out many hundred graduates, who are scattered throughout the Union, and with whom the judge, with his tenacious memory for individual peculiarities, retains his acquaintance to such an extent as to enable him to count among his personal and familiar friends very many of the lawyers in all parts of the country. His power of ready recognition is illustrated by the possibly fabulous story of his having once met in the street of a western town a former law graduate, who was in the dignified stage of intoxication, and who, as the judge extended his hand, protested that under any other circumstances he should have regarded the judge's recognition as the greatest honor of his life, but as it was, he preferred to be overlooked. Occasional monuments of

the affectionate regard in which he is held by his students, are the dedications to him of various works, published by some of those who have won an honorable standing in the literature of the law.

From Judge Cooley's service as a law lecturer to the work he has done as a writer upon legal topics, is an easy and natural step. I have told of his completion of the statutes of Michigan. During the earlier years of his judicial life he made up, largely for his own convenience, the first Michigan digest. This was published in 1866, and in 1872 was incorporated in a later digest the work of his son, Edgar A. Cooley, who had reached prominence at the Bay City bar.

In 1868 Judge Cooley first appeared as a text writer, publishing a work on 'The Constitutional Limitations upon Legislative Power' in the several states of the Union. This work was published in 1868, and has since gone through six editions. It is perhaps his best known work, and finds a place as a standard authority upon the shelves of every well equipped law library.

It was followed in 1872 by 'Cooley's Blackstone's Commentaries,' the third edition of which has been lately issued. In 1874 he published an edition of 'Story on the Constitution,' and several years after he wrote, as did also Judge Story, a short summary of constitutional law; in 1867 he published a work on 'Taxation,' and in 1879 another on 'Torts.' As associate editor of 'Appleton's Cyclopædia' he wrote the law articles for the last edition of that work, and he has at least a nominal connection with the *American Law Register*,

upon the cover of which he has long been named as one of the editors. His contributions to this and other periodicals and reviews are in themselves so frequent that few judges could find time for them, even if they had no other literary occupation. His contributions to general literature have usually related to some existing political or governmental problem. In 1874-5, when the country was watching the intestine quarrels between Louisiana and Arkansas, and the Federal government, in the effort to keep order, was sometimes trespassing upon state rights, he gave, in the *International Review*, his idea of "The Guaranty of Order and Republican Government in the States." This discussed the Arkansas complication, and was followed in the *Southern Law Review* by a powerful presentation of "The Aspects of the Louisiana Case." These articles were direct arraignments of the government, and so plainly defined the rights of the states as to attract the approval of many who believed they had been overstepped.

In 1884 Judge Cooley contributed to the series of 'American Commonwealths,' edited by Horace E. Scudder and published by Houghton, Mifflin & Company of Boston, the work on Michigan, which, though necessarily concentrated into small compass, and treating its subject in outline, fills exactly the mission for which it was prepared, that of giving to the stranger and casual reader, at small cost of time and trouble, a trustworthy and intelligible view of the processes through which the great peninsular state attained its pres-

ent stature. The story is told in the simple and fascinating English of which Judge Cooley is a master, and its very compression gives the historical relation a vividness that a more discursive treatment would gravely hazard. No volume of the series has received or deserved a better recognition.

The similarity of the careers of Judge Cooley and the distinguished Judge Story has been often remarked. Both were teachers in celebrated schools, both were incumbents of high judicial places, both were widely distinguished as masters of legal science, both wrote voluminously upon legal topics and both gave their supreme efforts to the study and expounding of constitutional law. That Judge Cooley gained by the work of his great predecessor in many common fields, he would be the first to admit, but that his work is original and independently distinguished, every lawyer knows. His advantage in literary workmanship, and clearness of statement over Judge Story, must be obvious to every person who has even casually read the works of the two masters, and is forcibly illustrated by the criticism attributed to an eminent lawyer in the cabinet of President Cleveland. Desiring light upon some question of constitutional law arising in the line of his duty, he went to his library and took down a volume which he supposed to be 'Story on the Constitution.' Turning to the desired heading he began to read and, though he had always been impatient with Story's involved style, was surprised to find himself reading on delighted, even

fascinated, for the mere pleasure of the limpid English and the lucid exposition of ideas. At last he looked at the title, to find that the work he had been reading with so much delight was Judge Cooley's.

It would be quite amiss to dismiss Judge Cooley's legal career without some mention of a field of work which he was one of the first to enter, and in which, without precedent or former experience, he at once made for himself an eminent reputation.

I refer to his participation in the unusual and difficult task of advising leading railway companies upon the perplexing question of differential rates. The main trunk lines of the United States have repeatedly had great trouble in fixing a satisfactory schedule of freight charges. These lines are controlled by the Baltimore & Ohio Railroad company, the Pennsylvania, the Erie, and the New York Central. After several methods had been agreed on and abandoned, and two or three exhausting "wars of rates" had occurred, the roads settled upon a system which apparently discriminated against Boston and New York, in favor of Philadelphia and Baltimore. This, of course, occasioned complaint, and in January, 1882, the presidents of the companies named, selected Senator Thurman, Minister Washburn, and Judge Cooley to act as an advisory commission upon "the difference in rates that should exist both eastwardly and westwardly upon all classes of freights, between the several terminal Atlantic ports." The commission met in New York, Philadel-

pma and Baltimore, collected statistics, heard arguments from boards of trade and chambers of commerce, considered the problem of moving freight in connection with considerations of distance, cost of carriage, and the laws of competition, and in July reported that it was not clear, from such information as they could obtain, that the existing system was then inequitable. The report is said to have been written by Judge Cooley, and in any case the knowledge of railroad methods thereby acquired may have led to his subsequent clear and very conclusive exposition of the principles of pooling, which somewhat later appeared in the *Chicago Railway Review*.

His work in this direction has fixed his position as a leading authority upon a very difficult class of questions.

Judge Cooley's long tenure of judicial place, his conservative views upon constitutional questions and his manifold labor have combined to set him aside from active partisan politics. Had he chosen to make the effort, there is slight doubt that he might have attained prominence as a partisan leader and have reaped a substantial reward in place and emolument. His name has been often mentioned as that of a man whose character and ability fit him for a high, even the highest place. A letter is in existence—written several years ago by an observant Republican, who has since become a well-known judge, and who had excellent opportunities to know the drift of feeling in the southwest—in which the opinion was expressed that

the time had come for the Republicans to nominate an eminent constitutional lawyer to the Presidency, and that the fittest as well as the most available candidate would be Thomas M. Cooley. And in the spring of 1884, when it seemed evident that there would be difficulty in choosing a Republican ticket, the *Toledo Blade* suggested the same name. Whether or not there is anything in the fact, it is somewhat curious that neither of the great political parties has ever selected for its candidate a man who has reached judicial distinction, though for twenty-five years there has been scarcely a campaign when each might not have appropriately taken some such leader from among its conspicuous favorites.

The claim of the United States to the aid of this learned jurist in its highest court has also been presented more than once, but especially on the resignation of the late Judge Swayne, when strong petitions that he should be appointed were submitted to President Hayes by the Northwestern bar, and the representative law journal of the east repeatedly urged it.

The short interval since Judge Cooley's retirement from the bench has been passed in comparative quiet. He has accepted some of the many calls upon him to act as counsel in important cases; he has done much for the interest of the university, an institution very dear to him, but, for the most, he has studied, written, traveled and, for the first time in many years, followed the bent of his own tastes, untrammelled by official cares.

In his personal appearance the judge is of middle height and slender; his face in repose is grave and somewhat stern, but in conversation its expression changes with the current of his thoughts and becomes kindly or humorous with the occasion. He is not a talkative man, and yet he is by no means taciturn; he expresses himself in speech with the simplicity, ease and directness that belong to one who can use language without effort. There is nothing commonplace in what he says nor stereotyped in his way of saying it, nor, on the other hand, is there anything original or quaint, if those words imply oddity. He looks a little like Lincoln, as his portrait shows, but the resemblance to the great President is even more striking in his faculty of expressing himself clearly and felicitously; and in the ready and incisive humor which, on due provocation, reveals itself sometimes in his opinions. In the streets he walks with rapidity and seems on the whole to prefer walking to riding. He has no more fear of muscular effort than of the drudgery of writing, and does not shrink from carrying a heavy bundle of briefs and records with him, if that is the quickest way to get it where he wants it. His physical and mental endurance is the more amazing, because he can neither eat nor sleep as most men have to. During terms of the supreme court he, for weeks together, habitually went without dinner; and for many years his inability to sleep has given him opportunity for obtaining familiar acquaintance with current lit-

erature, in which not even novels are overlooked. Littell and the Eclectic are favorite night-caps, and he seems to care as little for quiet as for rest, food or sleep, since for many years he liked to carry on his work in the common sitting-room of his family, with his household about him, apparently undisturbed by their work or play.

Judge Cooley is still in the prime of his intellectual manhood, with physical powers so well preserved as to give promise of many years of useful labor. If, however, he should soon be called away, his reputation rests securely upon substantial service to the world, well and lastingly done, and the variety of his work would justify the inscription upon his monument which Dr. Johnson wrote for Goldsmith's tomb: "*Qui nullum fere scribendi genus non tetegit nullum quod tetegit non ornavit.*"

SOLOMON L. WITHEY.

As a current of living water flowing from a river into the sea freshens, purifies and invigorates it, so the current of New England life and character has flowed out into our western civilization and everywhere left its impress upon the lives, characters and works of the people of our newer states. The bleak climate, sterile soil, rugged hills, severe religious tenets and discipline of the northeastern states were to some extent a repetition of ancient Spartan conditions and sent forth to the westward a race of men whose influence has been felt from Portland to Puget sound; from Boston to the Golden Gate.

In business enterprise, in education,



S. L. Mithen

Engr'd by J. P. Ball, Wm. D. Loring, N.Y.

in politics, law and religion their leadership has been conspicuous, and in the biographical sketches of the prominent men of every northern state, New England is named as the birthplace of a very large proportion.

The state of Michigan is not an exception to this rule, and the high place it has already taken in the Union has been due not more to its rich and varied resources than the character of those men who were its pioneer citizens, who had a large share in its industrial development and in framing and founding its political institutions.

The subject of this sketch, the late Solomon L. Withey, for many years one of the most active and eminent men of Michigan, was a New Englander, having been born at St. Alban's Point, Vermont, April 21, 1820. His grandfather was a soldier in the war of the Revolution, and Judge Withey's early life was passed upon soil made historic as the scene of some of the most exciting events of the great struggle for independence. His early life was the usual, quiet, eventful one which the people of that frontier locality led at that period, and his early education only such as could be obtained in the common schools of the time, supplemented by a brief experience at a neighboring academy. It was a period of emigration and adventure, and when he was fifteen years old, his parents, partaking of the common spirit, turned their faces westward, and after the usual hardships and struggles, paused and remained for a year at Cuyahoga Falls, Ohio, and then pushed their way into the forests of

Michigan, then just organized as a state. During the sojourn of the family at Cuyahoga Falls, young Withey had an opportunity to pursue further his studies at the institute at that place, for a portion of a year; but when the family journeyed westward he found employment for a time, first as a clerk in a store near Chatham, Canada, and afterwards at Ann Arbor, Michigan. His father, General Withey, settled with his family at Grand Rapids, Michigan, which, at that time, was a mere hamlet. He was a very active, useful and fearless man, and was soon placed in positions of public trust, being commander of the state militia and sheriff of the county.

To Grand Rapids for the first time, at the age of about seventeen, upon a visit to the family, came the son. The time, the circumstances, the surroundings, were all well calculated to inspire in the breast of an ambitious young man a desire to become, as soon as possible, an active factor in the development of the new country. As yet the western part of Michican was sparsely settled. People were finding their way from the shores of the great lakes into the interior by means of the rivers, and then cutting trails and roads from settlement to settlement. But though few in number as yet, it was already manifest at central points, like Grand Rapids, that there would soon be a great population in western Michigan.

Young Withey realized at once that the legal profession would be as sure a means of reaching usefulness, position, and honor in such a country as any

other, and he further realized the necessity of thorough education as a preparation for professional success; but the means of obtaining a liberal education at that day were seldom urged upon worthy young men, and endowments and scholarships in the popular colleges were very few in number, but with his usual force he made his way back to the Cuyahoga Falls institute, where he labored very hard until August, 1838, and may be said to have completed all the learning of the schools which he ever had. He returned to Grand Rapids, and at the age of eighteen opened a select school. In this he was fairly successful. But it is difficult to deal with such preliminary work of his early years in the space allotted us in a manner to interest the general reader, since a sketch can hardly arise to the dignity of a biography; and the early years of a man's life, while important at the time when the habits and character are being formed, are, after all, seldom productive of noteworthy results; and results are most eagerly accepted by the general reader as the test of a man's greatness.

After a year's experience as a schoolmaster, Mr. Withey, then nineteen, began the study of law in the office of Rathbone & Martin at Grand Rapids, and afterwards continued with Hon. George Martin, but was not called to the bar until May 17, 1843. Like most young men of that day he was largely dependent on his own resources and obliged to work his way while he was engaged in his legal studies. During part of his service as a law student he was a deputy in the Grand Rapids post-

office, and it is quite likely from his general disposition, that he did "with his might whatever his hands found to do," which would be of benefit to him in education, business experience, or pecuniary means. He was greatly given to reading and advanced rapidly at this period in literary and general culture. He was perhaps too intent in his zeal for advancement and his thirst for knowledge for his physical welfare. He was not a genius unless indomitable perseverance is a type of genius. If his mind was not as active or his preceptions as acute as in some others, his will force was such that by persistent labor he ultimately arrived at equivalent results and with more lasting benefit to himself.

He remained in Judge Martin's office for a year after his admission to the bar, familiarizing himself with the principles of the law, and as far as possible acquainting himself with that which in the profession is comprehended in the term "practice."

In the spring of 1844 he entered upon the practice of the law with the late Hon. John Ball, the firm being Ball & Withey. Mr. Ball was many years his senior, and a man of extensive travel, solid attainments, and excellent abilities. The partnership lasted about two years under that name, when the Hon. George Martin, his old preceptor, was admitted to it, and the firm then became known as Ball, Martin & Withey.

Mr. Martin, a man of great ability, was afterwards called to the bench and the firm dissolved, but at subsequent periods Mr. Withey had associated with him in the active practice of the profes-

sion Hon. E. S. Eggleston, still of Grand Rapids, and Colonel George Gray, both men of great ability as lawyers, the latter of whom obtained an enviable celebrity at the Michigan bar and has since distinguished himself in broader fields of practice.

Judge Withey's success at the bar as an active practitioner was more than ordinary. He was not an easy speaker, and perhaps did not attain at any time remarkable success with juries as an advocate, but he was a very studious man, a thorough worker, careful and methodical, but above all he was a man of great force of character. More brilliant men were glad to lean upon him; more acute men were willing to give way to his good judgment and intense convictions. Thus he was always a positive quality, and though many things might have militated against him as an active practitioner, yet such were his habits and natural qualities that he could hardly fail of success, and he did not.

In 1848 he was elected to his first office, that of judge of probate, and held that office till and including 1852. The nature of this office in Michigan is such that it does not greatly interfere with a lawyer's practice, and Judge Withey continued his active work in the profession with unabated vigor. In 1861 he was elected to the state senate, of which he was a member for two years. These being the early years of the Rebellion, much was required of the legislature, and the record of Michigan in that struggle was in some part due to its governor, at that time, and the legislature, in which Senator Withey was a

leading spirit. It was a time which called for strong, positive men; and if he had physical infirmities which prevented him from active service in the field, he was possessed of a dauntless spirit and courage of conviction, which was a creating, strengthening and sustaining force to those whose privilege it was to take part in the struggle.

The state of Michigan had made such rapid progress that it became expedient to create the western part of the state into a new judicial district, and congress accordingly took action to that effect in 1863, and Solomon L. Withey was selected and appointed by Abraham Lincoln as its first judge. He was in no sense an aspirant for the position, but was the choice of the bar, as well as of the representative men of the Republican party, with which he allied himself on its first organization, and of which, during the remainder of his life, he was always a member in high standing. Judge Withey never believed anything by halves, and hence his Republicanism was of the uncompromising type; but in all the stirring scenes of partisan, political strife, from 1863 until his death, no man can truthfully say of him that he took any part in politics unbecoming the dignity of the position he held on the bench, or that in any judicial act he was for an instant partisan. His sense of fairness was very keen and strong; his appreciation of judicial dignity, while not overstrained, was ever high, and no one could complain that, as a judge, he cared more for one party than another. Early during his career on the bench he gave evidence of that

intense application of effort and unflagging perseverance which had theretofore characterized him at the bar, but which is too often abandoned by lawyers when they are invested with the judicial ermine. Many men in like circumstances have ceased to increase their store of legal learning or expand their intellectual powers upon leaving the bar for the bench, probably for the reason that they regard their positions as thenceforward secure; but Judge Withey was as regular and faithful to duty as the sun in its course, and he grew as a lawyer and jurist every day he was upon the bench.

The constitution of Michigan needed changing in some important particulars, and provisions were made for a constitutional convention, with elective delegates, in 1867, and this Judge Withey—who never shirked responsibility and who never sought for more than his share of the pleasures of life—found time to attend. He was chairman of its judiciary committee, and the impression he made upon the members of that body—a body of thoroughly representative men of the state, without doubt far beyond the average of legislatures in experience and ability—was a profound one. He was, in many respects, the most influential member of the convention, though he seldom occupied or consumed much of its time with speech-making.

But the crowning honor of his life was still in store for him. In 1869 he was appointed judge of the sixth federal circuit, composed of the states of Michigan, Ohio, Kentucky and Tennessee.

His commission was made out and sent to him by President Grant. It was an honor which almost any lawyer in the land would covet, and to accept which men have retired from the President's cabinet and the United States senate; and undoubtedly it required a strong effort for him to decline it. But Judge Withey was a man of domestic attachments and exceedingly domestic in his habits; he had a family of children growing up about him, and believed that they needed his paternal care to a greater extent than he could give it if away upon the circuit, as must needs be the case if he accepted the position. He was also painfully aware of the delicacy of his health and his physical infirmities, and feared that they might prevent him doing that complete justice to so great and widely extended a work as must be his as a circuit judge, and so, in obedience to his judgment, he declined a great honor. In similar cases the number who decline is very small. But Judge Withey was one of those who could say, "No!" in obedience to the dictates of his own judgment, if all the world and even the feelings of his own heart constrained him to say, "Yes!"

The constitution framed by the convention of 1867 was not ratified by the people when submitted to them, and in 1873 the legislature provided for a commission, to consist of two members from each of the nine congressional districts of the state, to be appointed by the governor, the duty of which commission was to prepare a new constitution. Judge Withey was selected as one of the members of that body, and became

chairman of its judiciary committee. Again he distinguished himself in the labors of that body.

Indeed, it may be said of him that while he undertook much, more perhaps than his health warranted, whatever he undertook was always thoroughly and well done. Nor were his labors confined to his judicial position. He was one of those men, very rare in these days, who seemed to be sought after in widely divergent avenues of life, and he was most unwilling to refuse active assistance to any one in need. He was an excellent and very thrifty business man, and from that fact he was for many years selected as president of the leading bank in western Michigan, and was generally regarded as a safe counselor and a tower of strength to its directorate. He was prominent in church affairs, having become a member of the Congregational church in 1848 and ever remaining a prominent member of that denomination in the state as well as beyond its boundaries. He was very consistent in his daily life as a Christian man, and perhaps to his efforts as much as to those of any layman was due the leading position that denomination has taken in the state of Michigan.

It was the privilege of the writer to be very near him for several years, and to observe closely his labors at chambers and upon the bench during an important period of his career as a judge. It was impossible to be thus situated without being impressed with the many strong traits of character which his daily life evidenced.

His health continued delicate; he

was unable to indulge in much physical exercise, and this no doubt had its effect upon him, for under the pressure of many cares and duties he was sometimes stern, almost severe, and those who did not understand the circumstances were often misled as to the general character of the man. But notwithstanding this seeming impatience and severity, there were few better hearts with warmer sympathies and kinder and more charitable feelings toward all mankind, than that of Judge Withey.

He was one of the most merciful men in his sentences upon those who had offended the laws of the land, and his consideration for their welfare and possible reformation was such that it seemed sometimes as if he carried his humanitarian views and feelings to excess.

His integrity as a judge was never the subject of even momentary suspicion. He kept his ermine spotless. Probably few men ever labored more perseveringly and honestly to know all there was in a case and to decide it correctly. As before remarked, his sense of fairness, by nature large, had been cultivated with such care that it was as near perfect as men can expect in their fellows. He seemed to have no strong pride of opinion, and would often remark from the bench that he had none, and was willing to change his views at all times when convinced of error and receive light from any source whatever. He had a good fund of practical common sense, and was better pleased to use it than to indulge in fine-spun theories or hair-splitting distinc-

tions. The bar, as well as the jurors called to serve in his court, generally understood what was going on in his mind from the words which fell from his lips. He was not particularly graceful in his diction, and never seemed to trouble himself to make use of high or fine sounding language. His opinions were largely sustained by the court of last resort in this country, and his services were eagerly sought after as judge or referee from outside the district and the state. One very noteworthy case of this kind was that of the famous Tennessee railroad bond cases, wherein over one hundred and forty millions of dollars were involved, and where a large number of the most eminent men in the United States, including Charles O'Connor, Stanley Matthews and Governor Hoadly, agreed upon him to hear the case. It was very intricate as to the points of law involved, and voluminous almost beyond belief. In this case he bore himself in such manner as to obtain the confidence and respect of all, and the result he arrived at was afterwards confirmed by the supreme court of the United States.

During the last year or more of his life his health failed steadily. In the hope of receiving benefit from a change of climate and complete rest, accompanied by his devoted wife, Marion L. (Hinsdill) Withey—a woman of great ability and many noble traits of character, who had been his companion and the sharer of his vicissitudes, labors and triumphs since their marriage in 1845—he sought the Pacific coast. For a time it seemed

as if change of air and complete rest from his cares and labors were benefiting him, but it afterward became apparent that they would not accomplish the desired result. Easter day, 1886, had been celebrated by the Christian world as a memorial of the rising of the Master whom he had served so long and so faithfully. On the evening of that beautiful day, with his wife and daughter at his side, at San Diego, California, Judge Withey quietly and peacefully entered into rest. He had enjoyed the day; he had taken supper at the dining table of the hotel; was seized with a momentary feeling of weakness and pain about the heart; was assisted to his room, and died sitting in his chair, with scarcely a struggle.

As it was everywhere said of the Master on that day, "He is risen," so on the eve of that day might it have been said of Judge Withey.

The bench, the bar, the press and the people of Michigan united to pay tribute to the memory of a good man, an eminent citizen, an able, fearless, just and honest judge.

His life and public services reflect honor upon the state in which he was born, and were an ornament and a blessing to the state of his adoption. His example was worth more than books to the profession of his laborious love, and to his family he left, in addition to ample means, a legacy of honorable reputation, worth more than mines of wealth.

J. H. S.

OHIO IN HISTORY.

I PROPOSE to present the briefest possible outline of that Ohio field of biography and history which it would be both pleasant and profitable for all Ohians especially to explore. That territorial and state history relates to historical events and historical men. Some of these far-reaching events, worthiest of our particular study, are the first permanent settlement at Marietta in the spring of 1788; the second settlement at Columbia, near the site of Cincinnati, in the autumn of the same year; the establishment of a territorial government with General Arthur St. Clair as the first and only duly commissioned governor; the formation of the first four counties in the territory, with the noble Revolutionary names of Washington, Hamilton, Wayne and Adams; the disastrous defeat of General Harmar, by the Indians, in June, 1790; the more disastrous defeat of Governor St. Clair, November 4, 1791, in that western Ohio county since appropriately called "Darke;" the inspiring victory of General Anthony Wayne in August, 1794; the enactment of needed laws by the governor and territorial judges; the assembling of the the first territorial legislature on September 24, 1799; the ceding by Connecticut of her claims to all that territory called the Western Reserve of

Connecticut, on May 30, 1801; the formation of the first state constitution at Chillicothe, in November, 1802; the first general election under that constitution, in January, 1803; the transition from a territorial to a state government in February and March, 1803; the Burr conspiracy, with the state's vigorous action in suppressing it, in 1806; the gallant defense of Fort Stephenson and Perry's splendid victory on Lake Erie during the war of 1812; the establishment of the permanent seat of government at Columbus in 1816; the beginning of the construction of the great canals of the state at Newark, in the fitting presence of Governors Jeremiah Morrow, De Witt Clinton and Senator Thomas Ewing, July 4, 1825; the creation of the noble institutions of charity, benevolence and learning and of the system of public schools, which so honor the state in all succeeding years; the construction of the first and the other great lines of that network of railways which has done more than any single agency to advance the material interests of the state; Ohio's preparation and part in the war for the Union; her action with respect to the latest and best amendments to the national constitution, and her courageous course in the prolonged contests for a sound currency with coin resumption, and the

maintenance, untarnished, of the state's and the nation's credit and faith.

Turning from events, some of which can be treated in essays, others only in volumes, to the meritorious men identified with Ohio's history—men whom we all ought to know more about, much more than the libraries can teach us—we can not omit from the historical list General Rufus Putnam and Dr. Manasseh Cutler, so worthy to be the founders of a great state; General Arthur St. Clair, who passed from the presidency of the American congress to the governorship of the Northwestern Territory, remaining our territory's executive chief through successes and defeats for fourteen years; Dr. Edward Tiffin, president of the convention which framed the first constitution of the state and first governor of Ohio under that constitution; Return Jonathan Meigs, the first cabinet officer that Ohio furnished the republic, whose grave is one of the objects of historic interest in old Marietta; Judge Jacob Burnet, the western Lysurgus, who gave our confused mass of laws consistency and adaptation; honest old Jeremiah Morrow, the last and the best of the governors of the pioneer stock; faithful Peter Hitchcock, for twenty years in the legislature and in congress, and for twenty-five chief justice; William Henry Harrison, the pure patriot of highest virtue, whose political triumph in 1840 was not greater than his earlier triumphs over our Indian foes; Justice John McLean, who combined the manners and graces of the old school of jurists with the learning of the new; Samuel F. Vinton, the able and dignified Whig

leader who preferred his dignity to his existence in office; the brilliant and eloquent Thomas L. Hamer, who sent Grant to West Point; Judge Bellamy Storer, alike popular on the bench and on the stump; Hocking Hunter, every inch and in every fiber a lawyer, Henry Stanbery, the perfect type of a courtly gentleman, and Charles Hammond, one of the strongest and greatest of the members of the American bar.

Especially should we of this generation learn more about the two most distinctively representative historical men of Ohio, Thomas Ewing and Thomas Corwin, the one the embodiment of all the robust strength, physical and mental, of the giant west, declared to be at the period of his death the ablest lawyer in the United States; the other, in the concurrent judgment of all who have felt the spell of his matchless eloquence, as great a natural orator and as marvellous a wit, mimic and master of the passions of men, as this continent has yet known.

Passing from these two extraordinary men, who taught the great men of the later period what it was to be great—but not forgetting in passing the high-minded and massive-minded Chase, liberty-loving Joshua R. Giddings, bluff Ben. Wade, brainy, burly Brough, and the strong but gentle Tod—we reach that race of native historic men whose lives touch ours—we might almost say, whose lives preserved ours—Grant, the peer of the modern world's first soldiers—Marlborough, Von Moltke, Wellington and Napoleon; Stanton, the creator of armies and god-like forger of the

thunderbolts of war; Sheridan, who turned retreats and defeats into advances and victories and rode with the swiftness of the wind to fame; Sherman, the only soldier or statesman in American history who refused in sincerity the honor of the Presidency when it was thrice within his reach; Hayes, who called around him the ablest cabinet the nation has had, and whose administration of the national government was so acceptable to the people that they voted for another politically like it; Garfield, the most learned President (not excepting John Quincy Adams) who has filled the executive chair, the pathos of whose death touched all hearts in all lands; and tenderly-loved McPherson, whom death alone deprived of equality with the greatest.

And in what more fitting connection can we refer to those two peerless living Ohio statesmen, similar in name and fame, Sherman and Thurman, the one greatest as a financier, the other as a lawyer, both of highest distinction in the making and in the administration of law, and each honored for his public services by the discriminating, everywhere.

Conspicuous for their eminent abilities as are Rufus P. Ranney, William S. Groesbeck, Samuel Shellabarger, John A. Bingham, Jacob D. Cox, Thomas Ewing, George H. Pendleton, Chief Justice Waite, and Associate Justices Woods and Matthews, among living Ohians, we must not forget in our biographical studies other useful or brilliant men who have passed away, leaving honored names worthy of long remembrance within and beyond the

limits of their own state. It will not, I trust, seem invidious to call to mind George E. Pugh, Caleb T. McNulty, Elisha Whittlesey, Samuel Lewis, Joseph R. Swan, William Dennison, Samuel Galloway and William Allen, or such benefactors as James G. Birney, Dr. Daniel Drake, William Woodward, Lyne Starling, Nicholas Longworth and William Probasco.

Such born jurists and gentlemen as Justice Noah H. Swayne and Judge H. H. Leavitt are everywhere held in honor, as will also long be revered the names of those eminent divines, Dr. Lyman Beecher, Bishop Philander Chase, Bishop McIlvaine, Bishop Edward Thomson and Presidents Finney of Oberlin, and Andrews of Marietta. There are other Ohio names that are too prominently connected with the history of the nation to overlook, among which are those of Generals McClellan, McDowell, Quincy A. Gillmore, Steadman, Schenck and the McCooks; the great inventor, Edison, the Arctic explorer, Dr. Hall, the astronomer, O. M. Mitchell, and the director-general of our national centennial exhibition, Goshorn.

What are Ohio's honored names in literature, intelligent readers of course know all about; and while her sons may have accomplished less, perhaps, in that field than in war, politics or art, one can safely say that Artemus Ward and Petroleum V. Nasby, compare favorably with the first humorists of the nation, William D. Howells with the foremost novelists of his day, while Charles Hammond, Samuel Medary, E.

D. Mansfield, Joseph Medill, Henry Read, Samuel Read, Richard Smith, Murat Halstead, and the present editors of the New York *Tribune*, the New York *World* and the Cincinnati *Enquirer*, have yielded or are now yielding as large a measure of influence as had fallen to the lot of any American journalists. Buchanan Read, William D. Gallagher and William H. Lytle have done nobly all that they attempted to do at all, and Will Carleton, John James and Mrs. S. M. B. Piatt and Mrs. Kate Sherwood are making poetry and fame just so fast as the muses will permit.

And while it would take many essays to show what Ohians have accomplished in art, none can afford to be ignorant of the lives and works of the world-famous Thomas Cole and Hiram Powers, or of the achievements of America's first animal painters, James H. and William H. Beard, or of the noble works which adorn so many cities, of this country's greatest sculptor, Quincy Ward, whose "Indian Hunter," "Shakespeare," "Washington" and "Equestrian Thomas," will live a thou-

sand years after all that is now mortal has crumbled into dust.

I close this appeal for the study of our state's history by reminding the reader that Ohio can lay full or partial claim to four Presidents of the United States, Harrison, Grant, Hayes and Garfield; to one vice-president by birth, Hendricks, and one speaker of the house, Keifer, to two chief-justices, Chase and Waite, and four associate justices, McLean, Swayne, Matthews and Woods; to one secretary of state, through fourteen years' residence, Cass; to five secretaries of the treasury, Ewing, Corwin, Chase, Sherman and Windom; to three secretaries of war, McLean, Stanton and Taft; to three secretaries of the interior, Ewing, Cox and Delano; to two attorney-generals, Stanbury and Taft, and to three postmaster-generals, Meigs, McLean and Dennison.

If all these men have not done enough to command your interest and studious attention, citizens of Ohio, set to work to do something to honor the Buckeye state yourselves!

JAMES Q. HOWARD.

ART AND ARTISTS IN OHIO.

III.

ART IN THE PUBLIC SCHOOLS OF OHIO.

There are now recognized three lines of work which are developed simultaneously—in many of the public schools of Ohio.

Construction drawing, or the kind necessary for the workmen to work from in the construction of objects. These are commonly called working drawings, architectural drawings, machine drawings, etc.

Representative drawing, or the kind necessary for the pictorial representation of objects, and

Decorative drawing, or the kind necessary for the decoration and embellishment of objects; in other words, the study of industrial design, its principles and their application to wall-papers, carpets, furniture, pottery, iron work, stone work, etc.

A graduate of the schools of to-day, where this course is fully developed, should be able to sketch, pictorially, any simple object he may see or form in his mind; he should be able to make a working drawing to a scale, so he or any workman could construct the object from the drawing; and he should also be able to design the ornament for the object.

Such is the nature of the art education—industrial art education, it should

properly be called—in the public schools of Columbus and other cities of Ohio.

Cincinnati has been noted, more or less, for the work in drawing in her public schools. They have made a change in the last two years in the plan pursued, which is more or less similar to that pursued in Columbus, but not so fully developed. Good work is being done. The Cincinnati schools also made an exhibit at the New Orleans exposition, and the character of the work may be judged from the fact that the French commissioner of education requested and received the entire exhibit in this branch for the Paris Pedagogical museum.

At Cleveland, Toledo, Dayton, Springfield and eighty-one other towns in the state of Ohio, drawing is one of the regular subjects of study in the public schools, according to report of the state school commissioner.

It is impossible to estimate the influence this study will exert on the rising generation, especially if, as in Massachusetts, the instruction could be under proper and efficient direction. Then there is the Massachusetts Normal Art school, with a thorough four years course, and supported by the state. They have discontinued the position of state director of art education, but em-

ploy the best talent, under the name of state agents, for the promotion of industrial art education. Their business is to travel over the state, hold institutes, lecture, issue circulars of information, and otherwise advance the object. In Ohio much of this instruction is poor and aimless, for want of knowledge and proper direction.

Hon. John Eaton, commissioner of education, writes me :

Art in schools has been for several years a prominent subject of discussion in the principal educating countries of the world. Drawing and modelling enter into the elementary course of training in nearly all the countries of continental Europe.

The British royal commission on technical education especially recommended the introduction of drawing and modelling into all elementary schools.

With reference to the course to be pursued in elementary and intermediate schools, Philip Magnus, a member of the commission, director and secretary of the city and guilds of London Institute for the Advancement of Technical Education, and long acknowledged as an authority on the subject, says, in an address before the Society of Arts :

"On every occasion on which I have had the opportunity of speaking on this subject, I have called attention to the neglect of drawing in many of our public elementary schools, which is the more to be regretted seeing that the majority of the children trained in these schools are destined to commence life in occupations in which the ability to draw is quite as useful to them as the ability to spell. I am inclined to think that it is partly in consequence of the examination and inspection of drawing being placed under a different department of state from that which superintends the general work of elementary schools, that this subject, important as it is, comes to be regarded as an extra rather than as an essential element in primary instruction. Adequately satisfactory results are not likely to be obtained until drawing shall have been made an obligatory subject, both in girl's schools and in boy's schools, subject to the same rules of examination and inspection as reading, writing and arithmetic.

In learning drawing, the pupil generally commences by copying from the flat to the flat, he then proceeds to copy from the solid to the flat, and

lastly, he is engaged in rearranging materials previously studied, and in original design. In the teaching of modelling, the opposite is followed; the pupil begins by imitating in relief what he sees in relief, and then proceeds to copy in relief what is presented to him in the flat; and lastly, by aid of mere sketches and suggestions or original conceptions, to project into the solid form the pictures of his mind.

Wherever in our own country drawing has been introduced and properly taught, excellent results have followed. Massachusetts affords the best example of a practical effort in this direction, embracing the schools of an entire state, and the advantage of the training is already experienced in the improvement of various of her manufactures."

Why cannot we have an Ohio school of art? We certainly have had a large number of prominent Ohio artists. Let us not forget what they have done for us. Cole, Powers, and others that are dead, even the veterans among the living, Beard, Whitridge and others. There are many like Andrews, Mosler, Neihaus, Weber, Barber, Witt and Griswold, and many others who are ripening with years into better and better work. It is by constant advances of talent, exercised at home and on home subjects, that a home art is created, and this is what is needed. Powers did not, unfortunately, leave anything behind him distinctly American with his "Eve," his "Greek Slave" and "Proserpine." But Ward's admirable "Indian Hunter and Dog" is a work of to-day. Ward has studied the red man, and made an Ohio or rather an American group in an American way. Farney of Cincinnati is a splendid delineator of Indians. When at the Paris exhibition, we were disappointed that our American artists had so few American subjects. They seemed to delight in Oriental scenes,

like Bridgman's, so much like his master Gerome. The critics of Europe all said, "when we enter English galleries we find England; we know when we are in Belgium; Italy may be weak, but she is Italy, but when we come to the United States, what do we see? Why, a mixture of all. Paint us an American landscape for Heaven's sake." The *Revue des Deux Mondes* articles had nothing to say about American art, because there was none. Of all the pictures we had there, only those few were noticed which smacked of the soil. Now that you know as much as your masters, why not go home and work out your artistic destinies in your own way." If we cannot have a distinctive Ohio art, let us have an American art, and when it is achieved it will be as eclectic and comprehensive as the American nation. We consider knowledge of art, taste for art, and even skill in art as necessary to culture—even indispensable to it. Art administers to the necessities of life, while in addition to this the fine arts address the imagination. Thus in civilized nations, in proportion to the development of the intellect and fancy, we find the fine arts entering largely into the ornamentation of even the most common as well as the greatest objects. An art idea is not a mere phantasm. It is as real, as vital as other formulas of human thought. The self-styled practical man, the man of figures, whose faith is in the tangible, looks upon life as a carefully worked problem.

Says one, "It is true there is much art that defies analysis. There are sub-

tle influences that cannot be explained. Can the scientist tell me why the sun and rain sweeten the fruit of the tree and not the rest? Nowhere can we escape mysteries. But if we study art by the right methods and in the right spirit, much of its seeming mystery disappears. We find that reason rules here, as in law or science. Blue and yellow make green as sure as two and two make four."

In the galleries of the Old World there is often too much of the nude and sensual. At the salon in Paris, in 1883, when we were there, it seemed as if one-fourth of the paintings were nude and sensual, because it was said the Parisians demand such exhibitions, and they sell well. Does not the magnificent delineation of natural scenery, the noble portraits of the greatest of men, the vivid representation of historic events, the statues of orators, sages and patriots of the world, the touching portrayal of domestic bliss, of its sorrows as well as of its joys, the wedding, the christening, the grave, the purely ideal conception of beauty, are these not all refining? Vice is also so graphically depicted that the dissolute tremble while they look. Men are to be pitied who sneer at art and lovers of art; they lose one of the most delightful enjoyments of life by not cultivating the love of the beautiful.

The people's taste should be cultivated by having an opportunity to see fine paintings from the best artists of Europe and America. Then the work in our art schools, exhibited free to the people at their spring exhibitions, is a

great educator, and people will soon know better than to buy cheap daubs so frequently offered at auction, and photographs painted and offered as expensive water colors, and bought by the cord, as it were, because they are cheap. Patronize your home artist. He cannot work as he ought to work when he lacks means. He cannot attract your attention like a highwayman; you must approach him, and recognize the value of his gifts.

ART IN CINCINNATI.

In looking for the influences which have directly and indirectly helped to secure for Cincinnati the means of culture in the industrial and fine arts, we find, as far back as 1838, there was established in Cincinnati the Cincinnati Academy of Fine Arts, having for its object the mutual improvement of its members in the various departments of the fine arts. The president was John L. Whetstone; superintendent, T. W. Whitridge; among its officers were James H. Beard, Miner K. Kellogg and others; its membership was made up of both artists and amateurs. The Western Art union was established in Cincinnati in 1847. "The object of this institution is the encouragement of the fine arts." Every subscriber of five dollars a year is a member for one year, and is entitled to a copy of a highly finished original engraving, etc. All the funds of the society, after defraying expenses, are devoted to the purchase of American works of art, painting, sculpture, etc. Charles Stetson was president.

In 1854 an association of ladies was formed, called The Ladies' Academy of Fine Arts, which was formed under the earnest and intelligent leadership of Mrs. Sarah Peter (mother of Mr. Rufus King of Cincinnati).

Then the organization known as the "Associated Artists of Cincinnati" was instituted. The association opened its first annual exhibition in 1866-67, which was designed to further the interests of art and pave the way for the creation of a permanent art gallery. The president was C. T. Webber. Among its officers were T. D. Jones, J. Lucas Williams, William P. Noble, Henry Mosler, etc.

In 1868-69 "The Cincinnati Academy of Fine Arts" was incorporated, with the object of cultivating the love of the beautiful and improving a taste for the fine arts. The first president was Hon. W. S. Groesbeck; officers, H. Probasco, George W. Nichols, Julius Dexter, Lewis E. Mills, Joseph Longworth, W. F. Force, C. T. Webber.

In 1874 the ladies of Cincinnati were called together by Mrs. General Noyes, centennial commissioner for Ohio. Through their efforts Cincinnati was represented in the display of women's work by a large exhibition from the School of Design. The amateur work in over glaze china painting by Cincinnati women was equal to any at the exposition. In January, 1877, Mrs. A. F. Perry was instructed by the women's centennial executive committee to prepare a definite plan to reorganize as an art association, and she read a paper giving an account of what had been

done in that direction in England and in this country. As a result the committee reported in favor of the organization of an art museum and training school, with the name of "The Women's Art Museum Association," and Mrs. Aaron F. Perry was elected president. Vigorous measures were adopted to make it a success by free lectures, loan exhibitions, etc. Mrs. Perry and the ladies of Cincinnati, by their intelligent and well-directed efforts, now rejoice in the grand Museum building, dedicated since this paper was prepared, and its collections thrown open to the public May 17, 1886; and in addition the splendid building for the art school being erected.

The Ladies' Academy of Fine Arts, formed in 1854, by means of membership fees and subscriptions, raised the sum of \$7,000. To this Mr. Charles McMicken added \$1,000 for the purchase of casts, which were to belong to the picture gallery till a school of design should be established in Cincinnati.

In 1854 Mrs. Peter went to Europe, and while there purchased a number of paintings—copies of the old masters—for the picture gallery, and also a collection of casts.

At this period the elements were concentrating which, in 1857, crystallized into the South Kensington museum. The awakening which in England led to the application of fine art (which had been so long fostered by the higher seats of learning in the kingdom, and by such collections as the British museum, the National gallery and others) to the industries of the country, had not yet

begun to stir the people of the United States. Mrs. Peter and her associates saw no art museum in the future, but they aimed to inspire a sense of the beautiful, and to raise the standard of taste in their own city. In the discouragements which overtook them, their work may have seemed to them a failure; but looking back through a third of a century, we see it take its place as one of the earliest expressions which, in one way and another, at one time and another, has gained strength and taken shape, until the Cincinnati school of design has an endowment ample for its maintenance, a liberal building fund, and, connected as it now is, with the Cincinnati museum, occupies a position for usefulness second to none in the country.

The paintings procured by the efforts of these ladies may not possess the highest artistic merit, but down to 1881, when Mr. Joseph Longworth gave to the museum the Lessing collection of studies and paintings, they were the only collection available for the use of classes, and, in connection with the casts provided by Mr. McMicken, they have been of value in forming the taste of the thousands of pupils of the School of Design. The ladies of the Picture Gallery association builded wiser than they knew, and are entitled to an honored place in the historic memories of the city.

It would seem that the plan of establishing a picture gallery did not result in a success. The pictures were exhibited for a time after their arrival, and were subsequently stored in one of the upper rooms belonging to the McMicken

estate, on the northeast corner of Third and Main streets. It came to pass after awhile, that Mr. T. C. Webber, artist, obtained permission of the ladies and of the trustees of the McMicken estate, to use the pictures and the casts, and the room, for the purposes of a class. The work of the class was encouraging, and the interest in it enlarged. Among those who saw possibilities of valuable results from this small beginning, were Mr. Joseph Longworth and Mr. Thomas S. Noble, and in course of time the class which had come to be called the school of design was united to the Cincinnati University. This institution was founded on a bequest of Mr. Charles McMicken, and was organized under its first regular corps of professors in 1874.

When the observatory on Mt. Adams was about to be removed to Mt. Lookout, Mr. Joseph Longworth offered to give the income of the ground on which the observatory stood, to the new school of design, if the observatory would waive its rights. This was accomplished and an agreement entered into by the city for the university, the observatory and Mr. Longworth, by which the income, about three thousand dollars, was secured to the school of design.

Sometime afterwards, Mr. Longworth gave fifty thousand dollars in United States bonds, or its income, provided the city would raise the income of the school of design to ten thousand dollars. This was agreed to. Mr. Longworth afterwards invested the fifty thousand dollars in ground rents, whereby the income was increased, including the

three thousand dollars, to seventy-two hundred dollars, leaving the city only twenty-eight hundred dollars to provide annually. The timely and intelligent help of Mr. Longworth can hardly be overestimated in its effect upon the taste and social habits of the people of Cincinnati. At a time when there seemed little encouragement to liberality in that direction, he established the school of design upon an independent footing.

The usefulness of the school has been more apparent from year to year. Large numbers of pupils are in constant attendance on its classes, and of the considerable number of persons here who have achieved some success in various branches of art, and especially in its application to the industries, nearly all have been its pupils. The influence of the school is a pleasing commentary upon the foresight and wisdom of Mr. Longworth's often quoted saying, that he did it "for the benefit of the idle rich, as well as for the industrious poor."

After the establishment of the Cincinnati museum, the scheme of which was broad enough to include training schools, Mr. Joseph Longworth, who had already done so much for the school of design and the museum, ardently desired to see the two institutions united under one organization, the one being the natural supplement of the other. This required the consent of the trustees of the McMicken university, and also some legislation, both of which were happily accomplished, and a few months after the death of Mr. Longworth the transfer was made, with an endowment by the heirs of Mr. Longworth, in accord-

ance with his known plans, of three hundred and seventy-one thousand six hundred and thirty-one dollars for the art school, the annual income of which will be about fifteen thousand dollars, which is to be devoted to the support of the art school.

Since my paper was prepared, Mrs. Aaron F. Perry, of the Women's Art Museum Association of Cincinnati, from its foundation in 1877, has, at the request of the association, edited a little book, which is just out, entitled, "A Sketch of the Women's Art Union Association of Cincinnati." I have therefore corrected some errors in the original paper and have given a more extended account of the early work toward art in Cincinnati. Mrs. Perry has kindly given me the liberty to use the facts gathered by her in her book, which is an interesting and valuable history of the grand work done in Cincinnati, a "triumph of feminine energy and Cincinnati culture."

A large and imposing building adjoining the Cincinnati museum building, for the art school and the school of design, is to be erected this spring in Cincinnati, to cost eighty thousand dollars, on the twenty acre grounds of Eden park, which is on a bold crest of Mount Adams. The building is to be of stone and entirely fire proof, 81x105 feet, with semi-circular projection for the west, making its extreme length one hundred and forty feet, and three stories high, with numerous galleries, halls and rooms, which will make it one of the most complete structures for the purposes required in the country. Mr. David Sinton, one of Cincinnati's most generous and public

spirited citizens, has donated seventy-five thousand dollars for the purpose. There is also twenty thousand dollars available for the same purpose from the will of the late Reuben R. Springer. It will be a grand and picturesque building, judging from the elevation. A few years ago there was not a city in the United States that had an art museum building. The centennial exhibition of 1876 seems to have given a fresh impetus to art and art institutions. Cincinnati seems to take the lead in its splendid gifts from its public spirited citizens to found art institutions, and to promote art by providing so liberally for their maintenance.

To Charles W. West and others Cincinnati is indebted for her splendid art museum. Mr. West offered to give one hundred and fifty thousand dollars for the purpose of founding an art museum, if a like sum was raised for the same purpose. The late Joseph Longworth and Reuben R. Springer, with David Sinton and Julius Dexter, gave ten thousand dollars each, and the remainder—the entire sum of one hundred and sixty-six thousand five hundred dollars—was given in smaller amounts. To these sums, on February 2, 1882, Mr. West added one hundred and sixty-eight thousand dollars more as an endowment fund, securing an income of ten thousand and five hundred dollars for the support of the museum. Altogether about one million dollars has been given the Cincinnati museum, without including the original endowments. M. E. Ingalls is president of the board of trustees. Cincinnati will have the best endowed

and largest art buildings in the country. The museum already has large collections, nearly all gifts of the late Joseph Longworth, Governor Hoadley and others. The Women's Art Museum association has presented a historical collection illustrating the beginnings of ceramic art in Cincinnati. They have many other collections, and when the art museum and art school buildings are finished, I am sure Cincinnati will be the great art center in America. When we remember that in 1840 Cincinnati had only forty-five thousand inhabitants, and in 1868 the school of design in the university of Cincinnati had only one teacher and thirty students, and have now a thoroughly graded course of instruction with four hundred pupils, is it not surprising how much has been accomplished by her in literature and art?

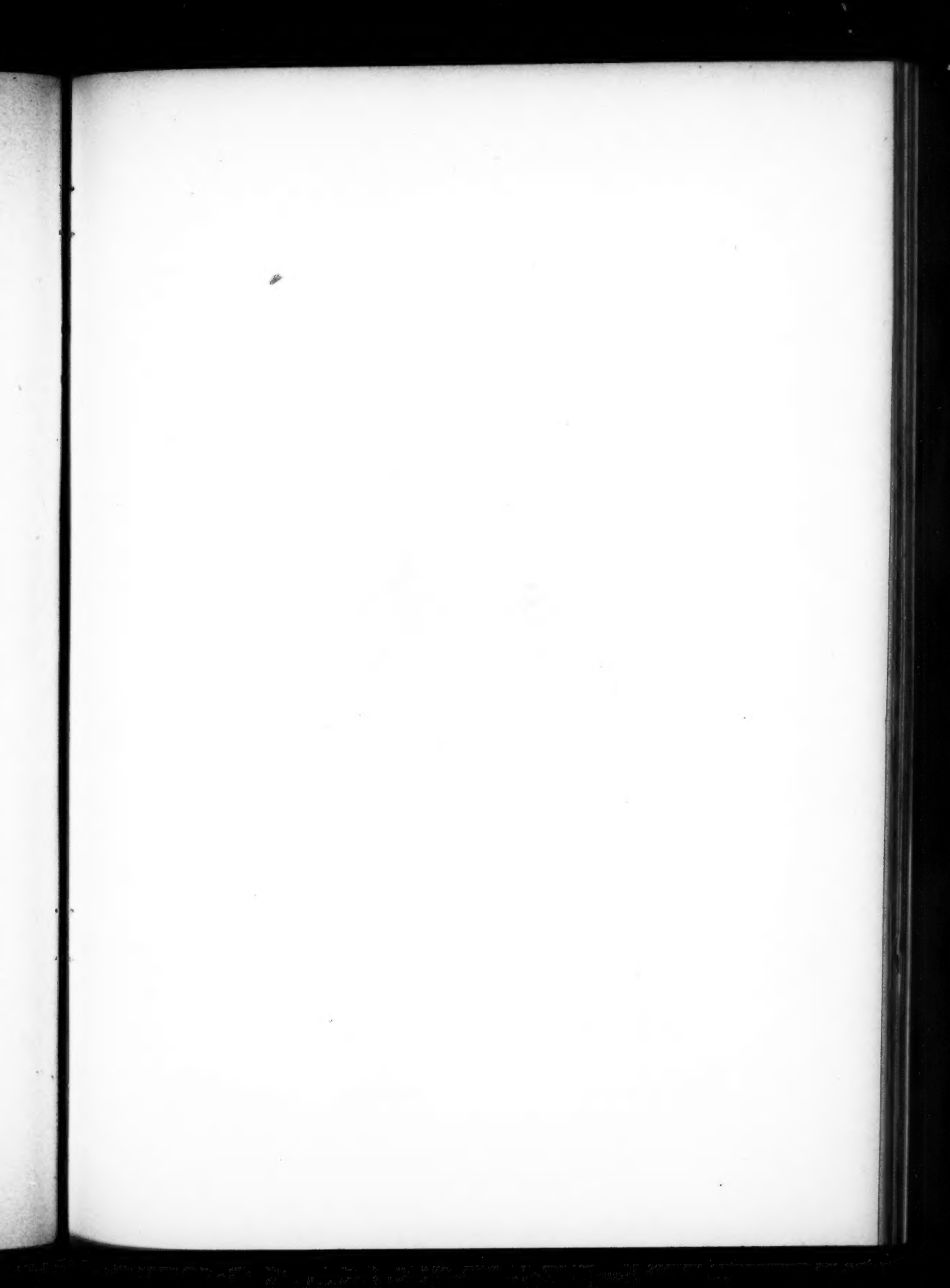
Americans traveling in Europe are often told, "I should not like to live in America, you have no operas and art galleries." Let them come to the Queen City of the West and see their grand music hall, art museum and art buildings.

Cincinnati has educated (more or less) over thirty prominent artists who have gone to Europe or east. And she has for many years had a few public spirited citizens who have encouraged artists in various ways, and there are a number of valuable collections there, which would surprise one who is a lover of art. Among them are Judge Longworth, Henry Probasco, Governor Hoadley, L. B. Harrison, W. W. Scarborough and others.

Miss Louisa McLaughlin of Cincinnati, has discovered the difficult process of underglaze painting. The particular merit of her method is the rich and beautiful effect on the colors by blending them with the glazing. Her works are specially molded to order according to her own patterns. Her ornamentation is peculiarly beautiful, because she copies from nature strictly, making her own drawings from real flowers and leaves. She has taken a prominent position in art. Her ware has been called Cincinnati faience. At the exposition in Paris we saw some of her specimens, and we remember they attracted great attention, coming from a lady in America who had boldly set herself to the ambitious task of reproducing the brilliant and heavy painted Limoges faience; and she so far succeeded as to receive honorable mention from the jury on ceramic productions. Mrs. Maria Longworth Nichols, Mrs. H. D. Leonard and Mrs. William Dodd were also successful in the same line of work.

Our country is full of material for fine ceramic products as a bountiful nature could well supply, and Miss McLaughlin's genius and skill have no doubt laid the foundation from which American skill and enterprise ought to create an industry whose extent would, in the future, surpass any of our present conceptions.

Mrs. C. A. Plimpton led the way into a new field of decorative work, which, while not entirely original in its nature, is most interesting as showing the practical and ornamental uses to which our fine, varied and abundant native clays





W. H. Withington

may be put. Her work has been mainly in red and yellow clays. The process of decoration is a building up of the design upon the partly dried, unburnt piece of pottery, in damp clays of different or the same colors, which, through the process of firing, retain their relative colors. After firing, the glaze is added and the final firing given.

The French at Sevres, and the Eng-

ish at Stoke-upon-Trent, have shown the beauty of porcelain clays in the *pate-sur-pate* process, whose results rival in costliness and beauty the work of the cameo-cutter. In showing the fine results of a similar process of building up, modeling, and incising in the common clays of Ohio, Mrs. Plimpton has made an important advance in the ceramic art and industry of the country.

FRANCIS C. SESSIONS.

THE WEST IN THE WAR OF THE REBELLION, AS TOLD IN THE SKETCHES OF SOME OF ITS GENERALS.

GENERAL W. H. WITHINGTON.

At the conclusion of an evening's conversation, some topic of which may have called forth the thought, a man who in his own life might have found many illustrations of his idea, made use of the following words: "Have you ever observed the ease with which a man born and reared amid American influences can adapt himself to important changes of occupation? How in many cases he can devote himself to lines of business varied in their character, and command a fair success in them all? We see it in the every-day life about us; in the examples of many of our leading men. It is so in no other country in the world. Elsewhere one is drilled in his one pursuit, and take him out of that and set him at something else, and he is lost. I call this one of our national characteristics."

This thought has been recalled with

renewed force by a review of the life-record made by General William Herbert Withington of Jackson, Michigan, who has been a business man, soldier and legislator, and has won a high reputation in each of these varied lines of labor. From the office to the field; again back to the labors of peace; called again to public duties of another character, and again returning to the care of personal affairs—he has been the model citizen and modest man through it all; seeking no self-advancement, content to do his duty wherever it was found, and striving wherever placed to make the best use of the powers with which he has been endowed.

General Withington is descended from a family that has for years held its own for culture and strength of character, even in New England, where the personality of a man counts for more than it does in the less restrictive west. He

was born in Dorchester, Massachusetts, on February 1, 1835. His father, Rev. William Withington, who is still living at the advanced age of eighty-eight, is an Episcopal clergyman who traces his family line to English settlers who were among the earliest inhabitants of New England. The hardy and vigorous character of the family stock is shown by the fact that the father of the subject of this sketch has a sister still living at the age of ninety-four; while his brother, Dr. Leonard Withington of Newburyport, Massachusetts, died only last year, at the age of ninety-six. The latter, at the time of his death, was the oldest Congregational clergyman then living, and also the oldest living graduate of Yale college. Both brothers were of the brainy class of men, adding education, culture, high-minded character, and long years of experience, to a wealth of natural endowment. The uncle was the author of several successful and able works on theology, while the father was a scholar of rare breadth and thoroughness, whose range of study seemed to cover almost the whole field of human knowledge. As a mathematician, Harvard gave him the "big slate" for foremost standing. As a linguist, few men of his time equaled him in the number of languages mastered. To this day his favorite reading is Greek and Hebrew rather than English. While more gifted in acquiring than in imparting knowledge, he was a preacher of great power and eloquence on topics which especially interested him. In conversation he was like a cyclopædia, giving only what was sought but giving then the

best known on almost any subject. His few published works were those of a man who thinks by the yard and writes by the inch.

It was in this scholastic atmosphere that the early days of General Withington's life were spent. While the influences about him were of the highest and the purest kind, they did not, as might have been supposed, unfit him for the hard and practical side of life, but rather trained him all the better therefor. The retiring and unworldly character of the father threw the home responsibilities more and more upon the son—a burden that naturally increased as it was shown that he had the strength and courage for its carrying. He early learned the habit of self-reliance, and from his early training doubtless came that faculty that has ever enabled him to do a labor beyond his years. He was educated in the schools of Boston and afterwards finished his education in Phillips academy, at Andover. On leaving school he turned his attention directly to the practical realities of a business life, entering a leather store at Boston, as salesman. He soon became book-keeper for the North Wayne Scythe company, and in a short time was given full charge of the details of their extensive business. Some idea of his capacity even at this early age may be inferred from the fact that when but nineteen years of age we find his employers entrusting him with important missions to New York, Baltimore, Philadelphia and other points at which they had large patronage.

While in this connection the young

man came into acquaintance with the large agricultural implement manufacturing concern of Pinney & Lamson, who had a contract for prison labor at Jackson, Michigan. The death of Mr. Lamson had left the whole responsibility in the hands of Mr. Pinney, who desired Mr. Withington to go to Jackson and give his services towards the righting of a set of affairs that certainly needed straightening out. The contract was made, and in 1857, when but twenty-two years of age, the young man went to Jackson, and assumed graver responsibilities than any he had yet borne. He found matters in chaos. The affairs were nominally in the hands of a son of Mr. Pinney's, but in reality had no head and no management. The bookkeeper had left some months before, while the office was in charge of a traveling man. There was full scope for the energy, enterprise and new life that had been sent to the rescue. It was not long before the effect was seen and felt all through the concern. The business was altogether new to the young bookkeeper from the east, and there was no one on hand to give him direction or even initiation into his duties. The one surviving partner, Mr. Pinney, lived in Columbus, Ohio, and was not in Jackson when Mr. Withington arrived. His first effort was to bring the books up from their arrears and entanglement. The pressure of affairs demanding immediate attention was enormous and such as might have appalled a man of mature years, trained powers and acquired knowledge in this business. The cor-

respondence, the oversight of sales, the purchase of material for manufacture and shop supplies, the control of foreman, the collection and payments, in short all the office work of a manufacturing business, employing one hundred and twenty-five workmen and six traveling salesmen, dropped at once on his young and inexperienced shoulders. It was the crucial test of the stuff that was in him. It wasn't simply that there were great responsibilities; the situation was full of perplexities and annoyances. The average young man would have said: "I didn't hire for this; I am not going to work fourteen hours a day." Not so this young Puritan of hero mould. He attacked the mountainous task before him with undaunted courage and unwavering determination and persistency. It was the key point to his future. Had he quailed and gone back to Boston he would have lived well on baked beans and brown bread, and no doubt gained a respectable business position, but he would have turned his back on opportunity and the fortune that waited upon it.

The financial panic of 1857 came on in its full force, and havoc and destruction fell upon thousands of business and manufacturing houses all over the land. Unwilling and perhaps unable to stand before the storm, Mr. Pinney committed suicide, and the burden that he had refused longer to bear had to be taken up by another. The labors that fell upon Mr. Withington were greater than ever. It was directed in Mr. Pinney's will that the business should be continued until the termination of the con-

tracts with the state then in force. The executor named in the will took charge, and the subject of this sketch was continued in responsible control as before. The time was a dark and difficult one, as no one could feel sure of anything for a day. Money was not even safe, as the western banks were then at their most dangerous and worse-suspected point. What was a thousand dollars to-day might be only a bundle of rags to-morrow.

The executor found the task too much for him and resigned. An administrator, *de bonis non*, with the will annexed, was appointed. This official was from Connecticut, unfamiliar with the business, and the chief labor therefore remained where it had been previously laid. A year after the death of Mr. Pinney the business was offered for sale, and was promptly purchased by the newly organized firm of Sprague, Withington & Co., composed of men already in the employ of the old company. The new life and power of personal application and interest, that was thus applied, soon became seen in results. The company took a high place in the manufacturing world, and has maintained it from that day to this. This company and its successors have continued the business to the present time, enlarging and extending its resources, until the products are now sold not only in every state between Boston and San Francisco, but through Europe and in Australia and South America. The company, now known as the Withington & Cooley Manufacturing company, of which General Withington is

vice-president and manager, was among the first American manufacturers to send goods direct to European markets, and to compete with England herself, on her own ground, in the production of agricultural implements. Some sixteen years ago the sending of goods direct to Great Britain commenced and has been since continuously kept up. The lightness, symmetry and excellent workmanship of the American goods soon found favor and created a steady market, after the conservative British mind had concluded that they possessed the requisite strength. The factory is the largest of its kind in the country, and one of its distinctive features is this European trade. In closing this reference to the main labor of General Withington's life, it may be pertinent to copy the following from a recent number of a Jackson newspaper. The *Times*, in March last, took occasion to say :

The shop and warehouses of this company now cover 83,855 square feet. In the forging shops there is a capacity of seventeen trip hammers, two hoe rolls and a proportionate equipment throughout. Their goods are sold on this continent from Maine to Oregon, and are almost as well known in Europe as in America. They have also an established and rapidly increasing demand for them from Australia and South America. It is but a simple truth to say that their goods have received their highest approval in the most critical markets, and that their customers of twenty years ago are largely their customers of to-day. In manufacturing and in dealing their motto is "Fidelity."

The new enterprise to which the venturesome young proprietors had given themselves, had only been a couple of years on the road to prosperity, when the long threatened war-cloud burst, and the life of the Union was placed in dire

peril. The subject of this sketch was among the first to offer his services and his life, if such should be demanded, in his country's cause. He had always taken a deep interest in military affairs, but not with the expectation that his training would ever come into practical use. While a mere youth in Boston he had become a member of the Independent Cadets, a distinguished military organization of that city that had been in existence even before the War of the Revolution, the young men of each generation taking the places therein that their fathers before them had held. After his arrival in Jackson he aided in the organization of the Jackson Greys, a local company in which great pride was taken in the city of its home, and of which he was captain at the breaking out of the war.

The alarm-sound was no sooner in the air than the young captain and his men sprang forward in patriotic answer. On the day of Lincoln's call for seventy-five thousand men, the Greys tendered their services to Governor Blair, being the first company in patriotic Michigan to make the offer. The call of Governor Blair was made on April 16, 1861. On the day before, the fifteenth, the following order had been issued :

ARMY OF THE JACKSON GREYS, }
MONDAY, April 15, 1861. }

You are hereby ordered to appear at the armory this evening at 7:30 o'clock, for special business.

A meeting for the election of officers to fill vacancies will be held on Friday evening, the nineteenth, at 7:30 o'clock.

Candidates and their friends are informed that no officer's commission or warrant will be issued to any one not ready to enter the services of the Federal

government in the present emergency, as soon as the company's ranks are filled.

By order of

W. H. WITHINGTON, Captain.

The Greys became company B of the First regiment of Michigan infantry—the first raised in the state, and the first body of western troops to reach Washington. Those who marched away in those days, in the first flush of patriotic devotion, who expected that the "compromise" that had been on the lips of politicians for a generation past would yet come to the rescue and peace be bought without the shedding of blood, or who began to understand something of the tragic solemnity of the era upon which the country had entered, and those who sadly but willingly stood by and let them go—can recall the scenes when this beloved company marched out of Jackson and off to the war. The farewell was given on April 29, with Godspeeds, and songs of patriotic love, and an escort of honor. A like scene was witnessed at Detroit, while receptions that were ovations welcomed them all along the way. I quote from 'Michigan in the War:'

The regiment reached Washington at a critical time, when Confederate troops plant their flag on Arlington Heights, claim defiant equality with the old banner of freedom floating from the National capitol; when rebel pickets patrol the banks of the Potomac, and bivouac under the old trees that shade the grave of Washington. Being the first regiment to reach Washington, its presence gave much encouragement to those in authority, and aided much in establishing confidence regarding the safety of the capitol, while the cheers of the loyal thousands greeted them as American patriots, and as friends in a time of need. President Lincoln received them amid an immense and interested concourse of people, and while he praised them for soldier-like appear-

ance, he complimented the state for patriotism, and through them thanked it for so prompt a response.

The regiment was assigned to the army of the Potomac, and on May 25 it crossed the long bridge in the first advance into Virginia, and in conjunction with Ellsworth's Zouaves from the water side, captured Alexandria, Virginia, where Captain Withington and his company are ordered, as he writes to a friend at the time, "to take possession of the City Hall. I did so, taking the colors, which I caused to be flung out of the window of the mayor's office." Event succeeded event in rapid succession, until the "holiday" part of the war was over, and a surprised and appalled north came face to face with Bull Run. War, earnest and deadly war, was recognized in its full meaning, and even the dullest began to understand that something more than words, and threats, and dress parades, lay behind and beneath it all.

I am not attempting a history of that fight, nor even a record of the brave First of Michigan, but only the memoir of one man. There was brave service and heroic endeavor on the part of many, and it takes nothing from the glory of the many to speak of the course of one. When, therefore, the news was flashed on to Jackson that Captain Withington was among the missing, and was probably dead, no one doubted for a moment that he had fallen as brave men die, and that he had done his duty to the last. From July 21 to August 8 no word was received from him, as the message he had sent from a rebel prison had been lost upon the way.

Only a few, among whom was his young and faithful wife, hoped against hope and believed that tidings would yet come. The Jackson newspapers printed such reports of his death as seemed to settle the matter beyond all peradventure. "He was seen," said one of these obituaries, "nobly doing his duty on the battlefield, one of his last acts being to bind up the wounded arm of Colonel Willcox; a few moments after he was struck in the breast by a ball, and fell heavily to the ground. A rebel trooper rushed up and attempted to bayonet him, when he drew his revolver and shot him dead. At this point our brave boys were swept back by overwhelming numbers, and he was seen no more." James O'Donnell, now member of congress from the Jackson district, in writing home, said of the missing captain: "The noble-hearted Captain Withington, I fear, is numbered with the dead. The feeling of the men cannot be described when they heard the loss of our brave captain. He had endeared himself to the boys, and no one can feel his loss more keenly than they. Captain Withington was acting major of the regiment, and shrank not from the performance of his whole duty. We all remember his last words as he smilingly said, 'Jackson Greys! Never desert your colors!' And they did not. I can state that no braver or better man was on the battlefield than our own gallant captain. We still hope that he has escaped death, but there seems but little chance for it."

The time of the First regiment had expired; it had been welcomed home

with every possible demonstration of pride and confidence, and many of its members had again turned their faces southward "for three years or the war," before a ray of light fell into the hearts of those on whom the young captain's loss had the most heavily fallen. On August seventh the following dispatch was flashed over the wires from Washington:

To Mrs. W. H. Withington:

I have just opened letters to you from your husband, dated twenty-eight ult. He is a prisoner and not wounded. Expects to be taken to Richmond as soon as Colonel Willcox shall be able to go. Is on parole of honor not to escape or take up arms until exchanged. I will mail letters.

H. L. SKINNER.

Word in confirmation of the above was soon received. He was alive and well, but a prisoner in the hands of the rebels. There he remained until January 30, 1862, when he was exchanged. On the day following he was mustered out of the service, the term of his enlistment having long since expired. He went directly to his home in Jackson, where he received such welcome as was due a hero of the battlefield, a sufferer in a rebel pen, and one who had been mourned as among the dead. "Long before the arrival of the train," says a Jackson newspaper in description of the event, "an immense concourse of people collected at the Central depot to greet the patriot and soldier. The members of his company, or rather those who are not in the army, marched to the depot under command of one of their number, preceded by a band of martial music, to welcome to his home their old commander. The train

was not long in arriving, and when the engine came in sight cannon boomed and cheers rent the air. The gallant captain stepped from the cars, and, after greeting the members of his company, passed through the line formed to the carriage. Here he was received by Governor Blair, who welcomed him to his home once more. . . . Captain Withington responded in a few remarks, saying that five years ago he landed at this same depot a stranger, and now this cordial welcome nearly overwhelmed him. He thanked the people for this manifestation of their regard, promising at some future time to narrate his experience while a prisoner of war. He was then driven to his home, preceded by the Union band, and followed by the Jackson Greys and a large number of citizens. Flags were displayed along Main street, while the hero was greeted with cheer after cheer from the concourse of people on the street."

Captain Withington was formally addressed by a number of the leading citizens of Jackson, who invited him to publicly describe to the people his experiences while in the hands of the rebels. He accepted the invitation, and on the evening designated the largest hall in the city was packed to overflowing. So many were unable to obtain admission that it was announced that the captain had consented to repeat his narrative on the following evening, which occasion also witnessed an immense attendance and the most intense interest.

The story was told with a simple directness and a manly modesty that

carried it to the hearts of the hearers. It is impossible here to repeat the whole address, interesting as it would be, but only the main thread can be picked out here and there. "The First went ahead, and soon saw their gallant colonel, and felt as though they could follow him anywhere. As it was, the regiment advanced further than any other that day. After the regiment was broken they reestablished their lines, and again advanced. The colonel was wounded, and I assisted him from his horse. In attempting to get back to the regiment we were captured by Colonel Preston." After the battle he was taken in company with Colonel Willcox to Richmond, where they were kept in close confinement and denied all but the very necessities of life until September 10, when came an order for their removal to Charleston. The trip occupied three days and as many nights. Charleston was reached on the thirteenth, where they were crowded into the common jail. On the eighteenth they were removed to Castle Pinckney, where they remained until January 18, when the advance of General Sherman caused them to be sent to Columbia. Life in a rebel prison in those early days was not, perhaps, what it became afterward when resources grew less and hearts harder, and Libby and Andersonville won eternal ignominy in the annals of human barbarity, but it was hard enough and stern enough at the best. But all its phases have been so often described that no details of Captain Withington's experiences while in the south are demanded here. His

reasons for not returning immediately to the front were set forth at the conclusion of his second address, in the following words:

One word in regard to myself, by way of answer to the inquiry frequently made as to whether I am going back. On the day before the battle, in common with most of the officers and a few of the men, I enrolled my name for the three years service. I did so in good faith, but it seems that that enlistment was considered informal, and by an order from the adjutant-general's office, the whole thing was dropped, and the reorganization commenced anew after the return of the regiment. Thus, on reaching Washington, I found my name was not, as I expected, on the three years roll, and I am out of the service. On reaching home I find that in consequence of one of my partners, Major Hopkins, having left for the war, our business demands my attention and presence. I also find that the regiments from this state are full, and my services are not particularly needed. Under these circumstances, although my disposition to return to the service is, I assure you, stronger than ever, and I hate exceedingly the idea of ending my military career in jail, yet I see no present prospect of re-entering the service.

It was not destined that his career should thus end. There soon came demand enough and room enough, and he responded willingly to the call. He was appointed to the command of the Twentieth regiment, and soon after transferred to the Seventeenth, which, under him, won such fame and was able to do a splendid service on more than one bloody battlefield of the war. The Seventeenth rendezvoused at Detroit on May 29, 1862, and left for Washington on August 27. Before its departure a Jackson newspaper said of it and its young colonel:

The Seventeenth regiment was mustered into service on Thursday. It is commanded by Captain Withington of this city. He has been transferred from the Twentieth to the Seventeenth. He is a soldier of pluck and ability, and while we regret to lose him

from among us, we are happy to see him again at his post. He has suffered much since this war began, and the circle of warm and affectionate friends who entertain a deep attachment for him have suffered more. He leaves again his wife, whose love kindled the hope of his existence when despair settled down upon the rest of the community. He makes the sacrifice once more of the comforts of private life and the endearments of a happy home for his country. The Seventeenth has secured a first-rate colonel and the country a faithful soldier.

On its arrival in Washington the Seventeenth was attached to the first brigade of the first division of the Ninth corps, and sent immediately into the Maryland campaign under McClellan. In less than two weeks after leaving Michigan it was fiercely engaged in the hotly contested action at South Mountain, on September 14, 1862, from whence it emerged with a loss of twenty-seven killed and one hundred and fourteen wounded. Of its conduct in that fight I quote the following from 'Michigan in the War,' written by one who was an eye-witness thereof:

Far up the mountain the enemy with their batteries were awaiting our advance. On the crest a line extended from the left of the road, and at right angles with it, flanked on each side by a strong stone wall; behind each of these walls on the left of the road and behind another on the right of the road, running at right angles with it, lay dense masses of rebel infantry, our immediate front being held by Drayton's South Carolina brigade. Our men having lain so long exposed to the fire of the enemy, without being able to reply to it, and having become somewhat accustomed to the noise of shot and shell, had grown impatient of delay, and the order to move forward and charge upon the enemy was received with shouts of enthusiasm. We moved out from our sheltered position through an open field and upon the enemy's position, exposed to a storm of lead from the stone fence in front and from the enemy's batteries on the right of the gap. Our regiment was the extreme right of Willcox's division, which was composed mainly of old troops, and our men moved upon the enemy as if jealous of the

laurels their veteran coadjutors might win. With cheer after cheer sent up in defiant answers to the rebel "yell," they advanced to within easy musket shot, when they opened a murderous fire upon the enemy, which was kept up for some time, the regiment steadily advancing, and its extreme right swinging around getting an enfilading fire upon the rebels entrenched behind the two walls on the left of the road. Unable to stand this murderous fire, the rebels broke in dismay, the left of the regiment charging with shouts of triumph over the walls and pursuing the fleeing remnants of Drayton's brigade over the crest and far down the slope of the mountain, thus gaining the key-point of the battle. After driving the enemy down the slope of the mountain, and capturing many prisoners (about three hundred), we formed in line of battle upon the crest and slept during the night upon our arms, expecting to renew the battle in the morning, but the enemy quietly retired from our front during the night, abandoning their wounded and leaving their dead in large numbers on the field. The gallant charge made by this regiment on the stone walls, behind which the enemy with his batteries was strongly posted, gave it the name of the "Stonewall Regiment," by which it was known throughout the army, and which has gone with it into the history of the war.

General Willcox, in his official report upon this battle, made use of the following:

I received orders from General Reno and McClellan to silence the enemy's batteries at all hazards. Sent picket report to Reno, and was making disposition to charge—moving the Seventeenth Michigan so as to cross the hollow and flank the enemy's guns—when the enemy charged out of the woods, on their side, directly upon our front, in a long heavy line, extending beyond our left to Cox's right. I instantly gave the command "Forward!" and we met them near the foot of the hill, the Forty-fifth Pennsylvania in front. The Seventeenth Michigan rushed down into the hollow, faced to the left, leaped over a stone wall, and took them in flank. Some of the supporting regiments, over the slope of the hill, fired over the heads of those in front, and after a severe contest of some minutes, the enemy were repulsed, followed by our troops to the opposite slope and woods, forming their own position. The Seventeenth Michigan, Colonel Withington, performed a feat that may vie with any recorded in the annals of war, and set an example to the oldest troops.

In commenting on this action, no less an authority than General McClellan himself, in his report, said :

General Willcox praises very highly the conduct of the Seventeenth Michigan in this advance, a regiment which has been organized scarcely a month, but which charged the enemy's flank in a manner worthy of veteran troops.

After South Mountain came Antietam, and the Seventeenth and its colonel won a record there equal in effective courage to that given above. The "Stonewall" regiment followed the fortunes of the Ninth corps and was commanded by Colonel Withington until March 21, 1863, when he resigned his commission and retired. On March 13, 1865, he was made brevet brigadier-general for "conspicuous gallantry" at the battle of South Mountain—when but thirty years of age, and one of the youngest men in the Union army on whom so high an honor was conferred.

On his return to Jackson, General Withington turned his attention once more to his business, and sought in all ways to do his duty in civil life as he had done it on the field. He made no effort to advance himself in any line of public service, but despite his quiet modesty has more than once been called into positions of public trust. He was elected to the legislature from the Jackson district in 1873, and served through that year and the one following. While in that position he performed a service that has given him the unofficial title of "father of the Michigan state troops." Seeing the need of action in that direction, and that no sufficient provision of law had been made for an organization

of state militia, he determined to see what he could do to remedy the defect. Bills had been introduced and urged session after session by those friendly to the object, but without success. General Withington accordingly framed a bill that he thought filled all the requirements of the case, and introduced it. It met with the usual opposition, but his energy and influence were such that he finally secured its passage with only fifteen votes against it. The law is the one under which the present effective militia system of Michigan was created, and by its provisions is maintained. The other measures to which he gave special attention while a member of the general assembly, were those connected with the state's prison, and the University of Michigan at Ann Arbor.

The militia law provided for the organization of two regiments. When they came into being Governor Bagley tendered the colonelcy of the First regiment to General Withington, in July, 1874. He had never had a thought of a personal connection with the service in his efforts for the creation thereof, and the offer took him by surprise. His first impulse was to decline, but when it was represented to him that he could give direction and effect to the service during its inception and experimental stage, he reconsidered his purpose and gave the full benefit of his experience and knowledge to the state. When the state troops were organized in a brigade in 1879, he was made brigadier-general thereof, and remained such until he resigned in 1883. The reason of his withdrawal, with something of the estimation

in which he was held, may be found in the following general order that was issued at the time :

MILITARY DEPARTMENT, MICHIGAN,
ADJUTANT-GENERAL'S OFFICE, August, 13, 1883. }

Brigadier-General Wm. H. Withington, commanding the First brigade, Michigan state troops, in tendering his resignation to the governor, says :

" My military service to the state began in 1859. To that and to the service in the war have now been added nine years in the state troops. I feel that I have earned the right to resign and can do so without detriment to the service."

In addition to this he urges as a reason a press of business from which he cannot longer take the time which he considers necessary in commanding a brigade. The commander-in-chief recognizing and fully appreciating the gallant and meritorious service of General Withington to his country in the war, and his long and efficient command of the state troops, and the other reason, regrets the necessity which compels him to accept his resignation to take effect on October 15 next ensuing.

It is with the most sincere regret personally that he accepts his resignation, and he is at the same time in full sympathy with the troops and the state in this great loss.

By order of the Commander-in-Chief.

JNO. ROBERTSON,
Adjutant-General.

The efficiency and high character of the military branch of Michigan's public service is recognized by all, and to General Withington should a large share of the credit be given. Its quality has been tested in some critical cases, and has nobly stood the strain. The high character of the general was impressed upon the men, and the service was made what it should be from the very start. He taught his men that they had entered on no military parade or picnic, but that they should address themselves to the task before them in a serious mood, and become such soldiers as could be unhesitatingly depended on in any sea-

son of danger or trial. The key to his mind upon this point may be found in the following extract from one of his general orders :

The colonel confidently relies upon the character of the Michigan state troops as gentlemen, to make his responsibility for the preservation of good order and military discipline rest lightly. He also desires to impress upon his command the fact that this is a camp of instruction, and he trusts that the chief thought and ambition of every officer and soldier will be to gain the most military knowledge and training possible from the occasion.

The same idea is brought out in fuller force in another general order, issued at Kalamazoo, in 1880, in which he says :

This is a camp for instruction, and not a holiday picnic, and while the general commanding desires the encampment shall afford pleasure as well as profit to the state troops, he trusts that pleasure will be found in the military life in camp, and without departure from the behavior of gentlemen and citizen soldiers.

The consent of the commander-in-chief to the location of the camp in near proximity to a large village was obtained against his judgment, but in the hope that the refining influences of this beautiful town would be paramount to any evil influences. It will be discreditable to the state troops, and a great disappointment to those concerned in the location of the camp at Kalamazoo, if this hope is not realized. Let every soldier feel that the honor of the state troops is in his keeping.

General Withington has been of service to his home city and state in ways other than those detailed above. He was appointed trustee of the State Insane asylum at Kalamazoo, but after two years of service was compelled to resign the position because he could not give to it the time and attention he thought it demanded. He is president of the Union Bank of Jackson, and through his capital and personal interest has had an effect on the business affairs of the city in many ways that I

need not specify here. He has filled the position of president of the Jackson board of trade. In 1875 he was a member of the executive committee of the Citizens' association, established to promote and develop the business interests of Jackson. He has for years been one of the directors of the Grand River Valley Railroad company.

He was one of the founders and promoters of the Young Men's association, created for the benefit and improvement of the young men of Jackson, and was its president for six years. In 1877 he was a member of a committee appointed to raise money to pay off its debt, and to devise means to keep it alive, and became one of its managers when it was reorganized. When it and the school libraries were merged into the Public Library, he still kept up his interest in the association, and is at present president of the library board.

He is ever active in religious work, and is a member of the Jackson Episcopal church, and has been a vestryman therein for several years, and was for several years treasurer of the fund of the Episcopal church of the state, in which a trust of some eighty thousand dollars is under his control. He has also been chosen a delegate to the triennial general convention of the church in the United States, to be held in Chicago in October next. A member of the Grand Army of the Republic; a Mason; a member and stockholder and director in the Iowa Farming Tool Company of Fort Madison, Iowa; president of the Webster Wagon company at Moundsville, West Virginia; and at work

through other avenues for the general good, he has shown a usefulness already beyond the power of most men, and is yet in his prime, with many years of effort and success before him.

His qualities have not been unnoticed, nor has he been passed over in the search for fit and strong men to be proposed for positions of public trust. He has been urged again and again to allow his name to be used in connection with the Republican nomination for governor or congress, but has never given his consent. He was strongly talked of for governor in 1884; and one hears much of the same thing in the same direction in connection with 1886. Although he has a deep interest in public questions, with well-founded and fixed convictions of his own, and although he is a reader and student of political economy as applied to political affairs, he has no taste for the methods of politics, and has only taken part therein when he heard the call of duty too loud to be resisted. He has ever been a consistent Republican, but never a partisan. His large business interests have served to keep him from political affairs even at times when he would have been glad to take part therein. In 1876 he served as a delegate to the Republican national convention, in Cincinnati, that nominated President Hayes. He is a believer in hard money; and has earnest convictions upon the subject of civil service reform, believing that it has gone by the experimental stage, and has demonstrated its usefulness to the country, and the country's need for it.

While a business man in the main

purpose and occupation of life, and in successful control of most important interests, General Withington has found time and had the desire to keep up with not only the great moral and political questions of the day, but with its literature as well. He is educated and cultured, a deep reader and thinker, and a fine and strong conversationalist. His interest in the education of the public is shown by the care, labor and time he has given to the newly established public library. When that useful and promising institution was dedicated to the public use, in February, 1886, General Withington, as president of the library board, in his remarks to the mayor of the city, said :

Mr. Mayor : On behalf of the directors of the public library, I present to you, as the representative of the city, these rooms. They are for the public—a library and reading room free. The establishment of a free public library marks an epoch in the upward progress of this city, and it has seemed to the directors fitting that its opening should be dignified by these formal proceedings.

He then sketched the history of the movement from the beginning, and in conclusion said :

And now, attempting no generalizations of my own upon this event, but leaving those to your fuller thought and more ready expression, I desire further only to express the hope of the directors that the public will use these books and these rooms freely and use them well. Here may come all classes—the professional man and the business man, the laborer, the mechanic, the artist, the student—and find, we trust, something to add to their knowledge, to aid their research or to minister to their mental pleasure.

General Withington delivered the oration of Decoration Day at Jackson, in May last, and his address showed the patriot, the thinker, and the scholar. It was replete with beautiful thoughts and

sentences worth remembering—showing a lofty ideal, a mind set above the level of mere business achievements, and a purpose ready, if need be, in all seasons and at all times, to make sacrifices for the public good. The speaker took occasion to say some plain words to his fellow members of the Grand Army of the Republic—words that no civilian could well have uttered, but that came with added meaning and strength from one of their own number, whose service had been as theirs, and whose ambition might naturally be supposed to lie in the same direction as theirs. "It has often occurred to me," said he, "that with all that is grand and noble in the purpose of our Grand Army and other soldier organizations, there were some temptations or tendencies which needed a word of caution, and that this word could best be spoken to soldiers by a soldier. . . . Partaking of the spirit of the times, we have our military societies, chief among which is the Grand Army of the Republic, standing out in unapproachable grandeur and historic position. . . . With organization comes power, and with power comes temptation, but there also comes responsibility. The temptation is to use the power of the organization to effect legislation in the interest or behalf of ex-soldiers. No one will deny this, and no one will condemn it within just bounds. The caution is that it be not allowed to go to undue bounds. . . . My caution is to guard with jealous honor the use that should be made of the Grand Army. Don't let demands be made in its name which as individuals you would not approve.

Perhaps I am over sensitive, and may be called too nice about these things, but it is out of my admiration and high ideal of the volunteer soldiers of the war. I cannot bear that the glory of this service, its patriotism, its sacrifice, its heroic devotion, should be lowered or cheapened by clamorings at the treasury. We fought for country; not for booty! In saying this, my comrades, I do not say that the country has done enough for the soldier. It may never do enough. It can never do too much. But the soldier, pushed on by the counsels of selfish and interested men, may *ask* too much." In conclusion, he said:

To ourselves, to our inner selves, the qualities which made us soldiers are more than the fact that we were soldiers. The service is over and past, but the qualities of mind and heart which took you into the service, the patriotism, the courage, the self-sacrifice, the manliness, the faith in God—these are all things of real value to be held fast and exercised in every relation of citizenship and manhood.

The social side of General Withington's nature is strong and steadfast, and in his beautiful, hospitable and happy home he finds the companionship and rest that no other place on earth can give. He was married in 1859 to Miss Julia C. Beebe, daughter of Hon. Joseph E. Beebe of Michigan. Six children were born to them, of whom but three are living—Kate W., Philip H., and Winthrop.

Their home is one of the most hospitable, as it is one of the most beautiful, in a state where hospitality is the rule. Mrs. Withington is a cultured and accomplished lady, who is exceedingly happy in the entertainment of her guests; and

in this respect her husband is a most useful ally. They entertain with the greatest liberality, and whether it be in large or small companies, their friends are glad to accept all invitations to their home. Of General Withington it is needless to say, of one who has been so true and loyal in all the other relations of life, that his highest loyalty and deepest love have been given to those nearest to him, and that as son, as husband and as a father he has fulfilled every obligation imposed upon him, as a willing and pleasant service.

The best possible estimate of any man's character is found in the record of his deeds. Recognizing that truism, little need be further said concerning the subject of this sketch. That he has courage of the material kind has been well shown in his personal deeds on the battlefield. That he possesses that of a moral character, all his life goes to show. As a soldier he possessed the power of command, and won and held the respect and confidence of his men. A born soldier, he has made a model citizen. A business man, he has cultivated his mind to a high degree, and enriched it by a wide range of reading. Engaged in public life, he has kept his heart pure and his life blameless. Modest and quiet in demeanor, but full of a force and resolution that is felt, if not demonstrated very boisterously, he carries out the suggestion of the poet that

"The bravest are the tenderest,
The loving are the daring!"

He has, it may be added, the ability to interest audiences, and can express



Engraved by J. H. Johnson

A. C. Voris

himself on the platform with power and eloquence. A self-made man in every sense of the word, all that he has gained in wealth has been by the regular earnings of legitimate business, and none by speculation. Had he kept all he has made, his possessions would have been much greater than they are at present, but besides living comfortably and hospitably he has done a great deal in helping others, in starting them in business, and in other ways.

In General Withington we discover the typical American citizen—the kind of a man who can be grown on these shores alone. Seeking no publicity, he has been called again and again to responsible official position. A useful, charitable, and companionable man, he has already made a record of which any one could be proud, while no man can say what paths of opportunity may open before him in the future.

GENERAL A. C. VORIS.

Among the many soldiers that Ohio sent into the great war for the Union, and who fought bravely until the last hour of danger to the flag had gone by, and then quietly laid down their arms to take up and ably bear the duties of citizenship in a time of peace, General Alvin C. Voris, now an honored member of the Summit county bar, deserves a prominent place. Enlisting as a private and going into the service as a second lieutenant, he came back at the close of the war a brevet major-general—a long journey on a road that ever led upward, and where each promotion came because it had been earned. The

fame he has won and the success he has achieved came by no circumstances of fortune, but were hewn out of life by his own hands in many years of labor. His early days were spent amid the healthful and rugged pioneer scenes of Ohio in the earlier days of the century, and he was taught a self-reliance and a need of physical courage and endurance not called for in the young of the present day. He was born in Stark county, Ohio, on April 27, 1827. He remained in the parental home until he was eighteen years of age, when the desire for knowledge that had ever been within him found its gratification. He gave a year to study at the Twinsburgh institute, and then spent two more in Oberlin, where he took an elective course. As he was compelled to support himself, he found a part of the means for so doing in teaching school during the winter months, and in giving several hours each day at the shoe bench. In February, 1850, he made Akron his home, and his residence has been there ever since. He was appointed a deputy clerk in the common pleas court, which position he held for two years. In February, 1852, the first probate judge elected in Summit county under the new constitution being too sick to visit his office, young Voris was made his deputy, which position he held until the death of the judge in the August following. The entire business of the office was thus thrown upon him. That he performed his duties well and devised proper modes for doing the business of the office and keeping its records, is attested by the fact that they have been since followed;

and that he correctly and faithfully acted for some six months as *de facto* judge, is also attested by the fact that his acts in that behalf were never legally questioned.

Meanwhile he had kept steadily in mind the purpose of devoting himself to the law, and had lost no opportunity of gaining knowledge in that direction. He studied faithfully, and having a legal mind was able to learn much from the surroundings in which he was placed. His preceptor was General L. V. Bierce, and on his admission to the bar in June, 1853, he formed a partnership with that gentleman, under the firm name of Bierce & Voris. Entered thus upon a career for which he was fitted by natural gifts, supplemented by hard study, he saw success before him almost from the start. But he was not long left to his chosen line of labor. In 1859 he was sent to represent Summit county in the state legislature, where he soon took rank as a leader. He gave himself to the solid business of legislation, and was recognized as one of those who could be counted on to be present, and who knew the meaning and purpose of each measure before the assembly. Although young in years, he was counted even then one of the strong men of the body, and there is no telling to what heights he might have gained in civil events, had not the long-gathering cloud of war broken over the land, and the call gone forth for men to defend the old flag. Mr. Voris had no hesitation as to his duty. In September, 1861, he enlisted in the Twenty-ninth Ohio volunteers. Through no solicitation on his part, he

was appointed by Governor Dennison a second lieutenant, and detailed to the recruiting service. He was mustered into the United States volunteer service on the second of October following, for the organization of a regiment, of which he became lieutenant-colonel. The regiment went into the field in western Virginia, on January 19, 1862. Lieutenant-Colonel Voris became the chief instructor from the date of its organization on December 18, 1861, drilling and teaching the officers and men at such intervals as his other duties would permit. Higher responsibility soon came, and March 16 saw him made the commanding officer of the regiment; and on the evening of the twenty-second of the same month he took it into its first fight, against a reconnaissance of Stonewall Jackson before Winchester, Virginia, which was in fact the opening of the first battle of Winchester, one of the hardest fought infantry battles of the war. The brigade to which the Sixty-seventh Ohio was attached, was ordered out to repel this attack, which was on our picket lines to the south of Winchester, and Lieutenant-Colonel Voris turned out his command so rapidly that he took the lead of all the Union troops, and in one hour from the time he received his orders, was four miles from camp, and pushing the enemy, his being the first northern troops in the fight. He held the front the entire night. In the morning he was ordered to support a battery of artillery, which he did under a brisk fire from the enemy's batteries, till the infantry battle opened, when he was directed to make the attack. The

enemy was three-quarters of a mile off, and its lines were extended over a wide front, mainly obscured by woodland and hills.

Colonel Voris gallantly led his men at a double-quick pace, against a terrible fire of shot and shell directly in his front, and right for the point where the infantry fire appeared to be the fiercest. He formed his men immediately to the left of Colonel Tyler's brigade, which was lying on the ground in front of a rebel brigade, within point blank range. The latter was thoroughly protected by a stone wall. "Both sides kept up an incessant fusillade of small arms," says a graphic writer, in description of that fight, "neither daring to advance on the other, with the advantage all on the side of the enemy. The Sixty-seventh formed obliquely on the head and front of this wall, and not more than one hundred and fifty feet from the right flank of the rebel brigade, from which it got a deadly fire without being able to do much execution in return. Lieutenant-Colonel Voris held this position but for a short time, and not securing the desired results undertook to place his men so as to deliver an enfilading fire from behind the stone wall. While making this movement he was shot in the right thigh, getting a very painful though not a dangerous wound. The color-sergeant hesitating, Voris seized the colors, and supported by two men, one under each shoulder, notwithstanding his wound, called on his men to follow him, and placing them in such position that this wall afforded no protection to the enemy, the Sixty-Seventh

opened a most destructive fire upon them. Two or three volleys caused the rebels to waver, when he ordered a charge, which was executed with such impetuosity that the enemy broke in great disorder, and the Sixty-seventh dashed through their lines with a yell that was plainly heard above the din of battle. Tyler's brigade soon followed suit, and the whole left wing of Jackson's army was thrown into a disorderly retreat."

The military skill and courage shown by Lieutenant Colonel Voris in this engagement showed that he knew how to take advantage of the situation, and that he possessed military qualities of the highest character. He saw what there was to be done, and knew how to do it, and the above service is spoken of by those competent to know as one of the best and most timely of the war. His spirited attack on the flank of the enemy at a decisive moment, dislodging them from what was as good as a fort for protection, rendered their defeat possible, and brought it about—a movement that was decisive of the only Union victory that was ever gained over Stonewall Jackson.

Promotion to the colonelcy of his regiment came on July 18, 1862. In January 1863, he was transferred with his command to the department of the south, where he participated in the siege operations before Charleston, South Carolina, until the close of the year. He commanded his regiment in the disastrous assault on Fort Wagner, the night of July 18, in which he received a severe wound, that compelled him to go

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north to recover. In two months he had again reported for duty, and was once more in the trenches before Charleston. In the spring of 1864 he was assigned with his regiment in the movement up James river, Virginia, with Richmond as its objective point. Thenceforth he was identified with the Army of the James, to the close of the war. "On the ninth and tenth of May, 1864," to again quote from the record above referred to, "with less than two thousand rifles and eight pieces of artillery, he successfully fought and repulsed Confederate General Ransome, with four times as large a force, some ten miles below Richmond. In this engagement he was specially conspicuous for gallantry and ability, and gained a brilliant victory. For this action Colonel Voris was recommended for promotion as brigadier-general of volunteers, but political reasons in his district prevented so well earned advancement. He was then suffering from his Fort Wagner wound, and was so prostrated by the fatigue and anxiety of the day that he had to be helped to camp."

On May 20, the gallant colonel again forced the enemy, at the Weir Bottom church, on the Bermuda Hundred front, retaking our picket line from which our troops had been forced; and in the same engagement he had the honor of capturing General Walker of the Confederate forces. In June, while in command of the picket line, as general officer of the day, he took the line of rebel works, by which General Butler had been "bottled up" on the Bermuda Hundred, capturing many prisoners and several

heavy guns. In an engagement at Deep Run in August, in one below Richmond in October, and in the same month in an attack on the outworks of the same city, he showed the possession of undaunted courage, a born power of command, and no small knowledge of strategy. In the latter part of November he commanded a division against an attempt of the enemy to turn the Union flank on the north side of the James. On April 2, 1865, he led the charge on Fort Gregg, at Petersburg, and after having been in the ditch of the fort, up to his neck in mud and water for nearly half an hour, he climbed up on its walls by the aid of a ladder made of guns with bayonets thrust into the walls, and was the first Union officer on the fort. This was the last Confederate fort taken by storm around Petersburg and Richmond. At Appomattox he was in the fight at the last ditch, and was wounded by a fragment of shell, on the left arm.

Recognition came in due form for these splendid military services. Colonel Voris was brevetted a brigadier general in 1864, and was in the year 1865 made a brevet major-general of volunteers "for distinguished services in the field."

But the service required of General Voris was by no means over with the close of the war. His country had need of him in another direction. On the close of hostilities he was assigned to the command of the military district of South Anna, Virginia, embracing a territory of triangular form, one angle at Richmond, the other two in the crown of the Blue Ridge

—extending each way more than a hundred miles. The duties of his office were of a complex character, combining the civil and the military. There was no other governing power in all that district, all police and civil officers and offices being under control of the military. There was much in the situation to call for the greatest prudence and the exercise of the highest quality of judgment. The country under his control has just emerged from the horrors of civil war, and was in chaos. The colored people, just out of bondage, had to be especially cared for and protected. All the interests of society had to be looked after and conserved, the prejudices and cruelties of the system of slavery resisted and eradicated, a new system of labor inaugurated, the mutual distrusts of the whites and negroes allayed, and confidence created between the late slave-owners and freedmen. General Voris addressed himself to this task with a patriotic courage and most excellent judgment. He called meetings of all classes of people at the various county-seats and endeavored to instruct them as to their new duties and responsibilities, urging justice, equal rights, and freedom from all, and forbearance, fair dealing and honesty of purpose upon all. "To protect those who had been slaves," says one writer, in touching upon this portion of General Voris' life, "and especially the infirm, old, and little ones, from ill-treatment and want, he found it necessary to make and publish orders prohibiting all sorts of personal violence, and the turning off of

the infirm and helpless without adequate provision for their present support. In default of such provision, he directed adequate assessments to be made and collected by military power. He absolutely put a stop to the flogging of colored people, and permitted no penalties to be inflicted on them that were not visited upon white people for a like grade of offenses.

As illustrative of his direct way of putting things, we narrate the following incident connected with the administration of his district: When he first went to Charlottesville to organize for the civil administration of Albemarle county and parole and amnesty those who had been in open rebellion against the government, he was interviewed by a delegation of citizens as to what relations the freedmen would thenceforth sustain. This delegation was headed by the Hon. John Robertson—the peace commissioner appointed by Virginia in 1861 to South Carolina and the other secession states—to whom he replied, that the freedmen were hereafter to be recognized as possessed of equal rights of any Virginian, and that he had no doubt but that the general government would protect them in the enjoyment of such rights; that he would do officially all in his power to reconcile and harmonize any antagonism and differences between the colored people and the whites; but that the white people would be required to adjust their intercourse with them on terms of reciprocal equality and right, without regard to former social condition or race. A fiery planter not relishing this equality doctrine spoke up, "I

tell ye what it is, if my niggers don't do as I say, I will flog them." General Voris instantly replied, "If I was your 'nigger' and you undertook to flog me, I would take your life, sir."

The Episcopal rector of the same place, and afterward a high dignitary in his church, came to the general to get indulgence from the military authorities to omit from the prayer of the church service, "The President of the United States and all others in authority, etc.," giving as reasons that such prayer would be insincere, and that his congregation could not, with their present feeling, join honestly in it. "Let us see," said the general, "is it because they look upon the President and those in authority as still being enemies?" It being admitted that this was substantially the situation, he replied, "I am not much of a Christian, and may not appreciate the gravity of the situation, nor do I know how your people regard the New Testament Scriptures; but, if you mean to set them a truly Christian example, I would advise you to do as Christ commanded in the sermon on the Mount, 'Love your enemies, and pray for them which despitefully use you and persecute you,' instead of coming to the military authorities to get excused from obeying the commands of Almighty God. I will leave this matter wholly to your own judgment; you may pray or not for the President, as you please; he can stand the omission better than you or your people can." The recognized form of prayer before the war was used at the next service.

So considerate was General Voris in

the administration of his public duties, that he never had a matter appealed from his orders to department headquarters during the whole time he was in command, though every class of disputed right came before him, from murder down. He was mustered out of service in December, 1865, and returned to his old home in Akron.

The above will give some idea of the character and quality of General Voris as a soldier, although it does not fill in the details needed to show that character in all its noble completeness. As a soldier he never shirked duty or danger. He shared with the men under him all the hardships of a soldier's life, meeting dangers and privations, and never asking them to do what he was not ready to do himself. His watchfulness and strict attention to business caused him to be assigned to the command of his brigade when he was junior colonel in it. He was greatly beloved by his men, and one of the things that he holds among his most prized possessions is a magnificent sword, with sash and belt, that came to him at the close of the war as a token of the love and respect of his old regiment—each man having contributed something thereto. He always saw to it that the men had everything the commissariat and quartermaster's department could furnish, and ever stood up for the rights of every enlisted man. He was a strict disciplinarian, requiring exact and prompt discharge of duty from officers and men alike. He carefully looked after the character and standing of every man and officer in his command, not only as

soldiers but as men and American citizens. There was not a man under him but who felt free to approach him at all proper times, and on terms of friendly intimacy. His regiment won great fame during the war, much of which came from the character and high standing of its commander, who gave tone to all about and beneath him.

Although General Voris returned to the practice of his profession, it was pursued for a long time amid extreme difficulties and much suffering. The wound he received at Fort Wagner gave him a great deal of trouble. In November, 1873, he submitted to one of the most wonderful operations ever recorded in the annals of surgery. It has been thus described: The wound had apparently healed. The bullet which caused it was cut in two parts on his sword belt ring, the smaller part lodging in the circular abdominal muscle, and was removed by the surgeon at the time of the injury. The other part passed downward and backward in the abdominal cavity, and lodged on the crown of the bladder, and became impacted in the walls of that organ, till the fall of 1872, when it penetrated them and became loose within. Up to this time it had been a cause of great annoyance and bodily infirmity—the cause not being suspected even by General Voris. Now it became most torturing, giving constant and almost unendurable pain, so much so that his friends supposed that he must speedily die. His physicians did not suspect the nature of his disorder till early in the summer of 1873, too late in the season for a desirable operation. He

waited, under the advice of his surgeon, till the ensuing fall, when he underwent the lateral operation in lithotomy. Three fourths of an Enfield rifle shot was extracted, weighing one and one-eighth ounces. The great wonder is that he ever survived the first effects of this shot and then that he should carry it over ten years, and have his bladder perforated by it, endure the torture and derangement it caused, and not die, to say nothing of the surgical operation. Nothing but pluck of the best sort and an extraordinary constitution could have saved him. His physicians remarked that he was the coolest and most self-possessed subject they ever witnessed at the operating table. All the years of his life, since the eighteenth of July, 1863, have been weighed down by this injury, the pangs of which are still borne in nerves that never cease to ache.

The patriot on the battlefield became the good and faithful citizen, amid the demands of a more quiet civil life. From the close of the war, until the present, General Voris has devoted himself to his practice, and has sought to do his duty wherever and whenever it came to his hand. In the spring of 1873, he was elected a delegate from the Akron district to the Ohio constitutional convention, and although suffering terrible agony from his army wound during much of the time, he took a leading part in its deliberations, and was one of its most efficient and useful members. He was made a member of the committee on rules, on the opening of the convention, and thus had a hand in shaping the work of the body through all its deliberations;

while he became a member of the committees on Apportionment and Representation and on Corporations other than Municipal, under the permanent organization of the convention. Evidences of his good service and earnest attention to his duties may be found all through the records of the convention.

General Voris' experience in the reconstruction days led him to think deeply and earnestly of the means best calculated to give the colored people the rights to which they were entitled as human beings, whose domicile had been forever fixed among us by the overpowering will of the whites. The only power that he could see that could be bestowed upon them, in their then condition, that would be respected by their neighbors and the state was that possessed by equal citizens who had the right to exercise the elective franchise. The power of the elector is universally respected; and that thought led him to the policy of making the freedmen citizens, endowed with all the attributes of the American elector, for the two-fold reason that the power it gave them would stimulate their manhood and give them protection, and that accruing to the public generally by making them allies, instead of jealous, disappointed aliens.

When he went into the constitutional convention, a fundamental canvass, in his own mind, of the reasons for conferring the electoral power, very naturally had to be gone over, and in the light of his former reasoning and experiences, he could hardly forget that one half of the very best and most lovable

of the community were left out of all efficient recognition in the management of the state. He therefore most logically became an impartial suffragist. In other words, he favored woman suffrage. At his solicitation a special committee on woman suffrage was appointed, of which he was made chairman, and to which the question was referred. This committee reported in favor of impartial suffrage. General Voris opened the discussion on the subject, in a debate that continued two days. His argument was so frank and cogent in reason, and so manly in temper, as to lift the discussion into the realm of as dignified a debate on the merits of the great question, on both sides, as ever characterized the deliberations of any great body of statesmen. The debates of the convention, if referred to, will fully sustain this assertion. It has ever been a theory of General Voris that if one had a conviction that was worth being considered by others, the reasons for it could be advanced in such a way as to challenge a respectful consideration of its merits, no matter how much it cut across established views. This discussion fully sustained that opinion. It must not be inferred from the above that General Voris has made this question a hobby, nor that the work be performed in its support by any means represented his labors or usefulness in the convention.

General Voris was married September 21, 1853, to Miss Lydia Allyn, with whom he lived in mutual respect and happiness until death took her from his side, on March 16, 1876. She was a

devoted wife and mother. Three children were the fruit of this union. He was again married in February, 1882, to Mrs. Lizzie H. Keller, a lady who, to the most excellent qualities of head and heart, unites great taste and skill as an amateur artist, having of her own production many beautiful sketches and paintings, which are regarded by professional artists as exhibiting great merit.

General Voris is an ardent Republican, but is too fair-minded and patriotic to allow partisanship to warp his judgment or lead his opinions astray. He is an ardent advocate of a protective tariff, and his voice has always been heard for the advancement of home industries. His many campaign speeches on the protective policy were conceded by all who heard or read them to be masterly efforts, and were widely read and circulated. As a public speaker General Voris is frank, candid, earnest and eloquent. He never descends to abuse, but seeks to win the understanding of his hearers, and to command their respect while keeping

his own. He concedes to his opponents all that any fair-minded man can ask. Since the war he has plead whenever occasion offered for a sinking and forgetting of the war issues, and for peace of the best and highest character between the north and south. He is in frequent demand at the gatherings of the veterans, and both as guest and orator is always welcome and at home. As a lawyer he is deep read and logical, and possesses a remarkable influence with juries. He has a wide acquaintance with history and general literature, and is a lover of his books. His courage in moral and political matters is equal to that shown on the battlefield, and whatever he believes to be right, that he utters and stands by. Generous in his impulses and actions, strong in his likes and dislikes, true in his friendships, always ready to help those in need and to give his voice for the support of reform, he makes a model citizen, and does all that lies in his power for the advancement of his country and mankind.

J. H. K.

JOHN JUDSON BAGLEY.

Most of men who leave their mark on society and institutions have features of character more or less peculiar. Few do it without strength of will and adherence to settled purposes. But the methods which strong-willed men use to do their work are not uniform, and each puts some part of himself into all that he does. It is well for mankind, as it is for one's memory, when pleasant associations and grateful recollections attend the name of a man who has labored effectually before he passed away. Governor Bagley's name will be remembered by many hearts that he lightened, and many for whom he made life more tolerable.

John Judson Bagley was born at Medina, Orleans county, New York, July 24, 1832. His father, John Bagley, was a native of Dunham, Green county, New York. He came from a New England family, of English descent, settled in New Hampshire. His grandfather, Captain John Bagley, and a brother, Cutting Bagley, moved into Greene county soon after the Revolution, and had farms on the eastern slope of the Catskills, a few miles from the Hudson, where his father grew up to manhood. His father's mother, Olive Judson (from whom he derived his middle name) was a relative of the celebrated missionary, Adoniram Judson, and his father's

grandmother was descended from Rev. Thomas Hooker, one of the prominent Connecticut divines of the seventeenth century.

Governor Bagley's father moved from Medina to Lockport while he was but a child, and in 1840 came to Michigan and settled in Constantine. He had been prosperous, but met heavy losses from the failures of others, and moved into this State to find the favorable prospects of a new country. He was a man of intelligence and strict probity, and his wife was a woman of good education and much force of character, whose influence upon her children was great and lasting. She was a devout member of the Episcopal church, and attached to it strongly.

Governor Bagley's school education, aside from his mother's teaching, was interrupted when he reached the age of fourteen, and, thereafter, he was constantly employed in some kind of work. His father moved to Owosso, in Shiawassee county, where John had already become an inmate of the family of Dr. Barnes, who had been an old friend in Lockport, and was a schoolmate of his children. Until he became sixteen years old he was employed as a clerk in the store of Dewey & Goodhue.

Being ambitious to find occupation in a larger place he came to Detroit in



Yours
Geo. D. Bagley



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1848, where his letters written at that time show that he was moved by a more than ordinary share of youthful enthusiasm, and expressed his hopes and belief in the capabilities of the future in a way that is not uncommon, but which was evidently in him the indication of a resolute determination to succeed. He was well grown of his age, with large bright eyes and a countenance that made people disposed to like him. He had the singularly good fortune of striking at once the employment which was the chief business of his after life, and out of which in due time he made a fortune.

The tobacco industry was then hardly known in the northern cities west of New York. The tobacco growing states had not become as accessible as now, the system of railways being comparatively undeveloped, and capital being also very limited outside of the commercial centres. A small factory had been started, in 1840, by George Miller who was succeeded by his father, Isaac S. Miller, in whose hands the business began to grow to respectable dimensions. Nevertheless the industry was too small to furnish a great deal of trade by itself, and was combined with all the branches of an old-fashioned tobacco-nist's dealings. While going about the city and observing the varied scenes of the streets and shops, young Bagley happened to be attracted by something in Mr. Miller's windows, and stopped to look in, when the owner noticing it accosted him and made inquiry about him. The lad at once said he wanted employment, and Mr. Miller, liking his

ways, without further ado employed him. Here he remained until he reached majority. The limited scope of the enterprise enabled him to become familiar with every detail, and his habits of close observation and his retentive memory very soon gave to him a mastery of the whole range of processes, and an acquaintance with the markets, which already began to justify larger enterprises. While yet under age he engaged in and had principal charge of the outside business of the house, and traveled extensively in and out of the state. This made him acquainted with the business men in all quarters, and made him many friends who in his subsequent career did him great service. He became known everywhere as a thorough business man, of genial ways and correct habits, a good observer of men and public spirited even in his youth. In the west everybody was a politician.

During this period, as afterward, he had a strong love of reading, and made many sacrifices to purchase as he could the chief works of English and American history and literature. The books slowly acquired were thoroughly read and remembered. At this time the Detroit Young Men's Society was in active existence, and had a very good library. He became a member of this society and enjoyed eagerly the access which it gave him to the wide range of literature and science. His mother had always encouraged him to spend his time in this way, and through his life he was a great reader and uncommonly well informed on the subjects that interest intelligent

and cultivated people. Some of his private letters of those days of narrow means remind one a good deal of Lamb's humorous accounts of his book purchases among the old dealers, when his mind balanced long between mental and physical comforts. In the days of prosperity Governor Bagley's library was his favorite luxury, and he filled its shelves with taste and judgment.

As soon as he became of age he was able, with some advances from friends whose confidence he had gained, to start in business on his own account. Naturally and wisely he went into the same occupation with which he had become familiar, and built up an enterprise that was before many years one of the leading establishments in the northwest, and ultimately became one of the foremost in America.

Mr. Bagley's mature appearance and familiarity with men of all sorts brought him naturally forward earlier than his years would otherwise have warranted. He was then as he was to the last, an enthusiast, and only saved—as he was saved—from running into extremes by the regulating influences of daily business methods. He became intimate at that impressible age with some men who at that time embodied more than almost any others the active benevolent spirit of the community in the relief of distress and the systematic application of charitable work. Prominent among these was Samuel Barstow, who, though dying in the prime of life a year or two after Mr. Bagley began business for himself, had already left his mark upon the most important city institu-

tions as well as those of the state. He was a prominent lawyer of bright and discriminating mind and personal magnetism, who threw himself with zeal and devotion into all the undertakings which gave any promise of moral and intellectual advancement. He was the leading spirit in the literary associations of the city. He organized and carried into practical success a benevolent society whose members gave personal attention to all the details of investigation and relief. He was beyond all others the efficient organizer as he was a principal founder of the public school system of Detroit, which has been carried out on the lines which he traced, and which he lived to see successfully fixed in public esteem after a conflict of many years in which he was always at the front, and did his full share of giving and receiving attacks. With the warmest affections, and with excellent judgment, he was one of those fiery spirits whose enthusiasm

“Fretted the puny body to decay.”

and early death was almost inevitable. His last public effort was in bringing about the organization of the Republican party, in 1854, and as soon as that was accomplished he left home on a tour for rest and recreation and died a few days afterwards. With the energy and fire which attended all his doings he had been a very earnest member of the Whig party, and active in every campaign, and had become convinced of the necessity of organized action in meeting the encroachments of slavery in the territories, and, although the occasion which led to the general uprising

in the north had not yet come, he felt that it was but a question of time.

Mr. Barstow was very kind to young men, and Mr. Bagley naturally conceived a great admiration for a gentleman as enthusiastic as he was himself, and with whose views he was completely in agreement. The influence of this warm-hearted and wise friend was conspicuous in his after life, and he never ceased to think and speak of Mr. Barstow with emotion.

Soon after Mr. Barstow's death—during the same season—was the first campaign of the Republican party, and Bagley went into it with all the zeal of a young campaigner. He never neglected business, but there was leisure enough for politics, and he thoroughly believed in his cause. From that time on he was always a party worker in local and general politics, and one whose capacity for efficient activity was generally recognized. He escaped the danger apt to assail young politicians of giving up other interests for party spoils. Until he became governor he never held an office that had any semblance of profit in it—and that office, as all Michigan people know, involved great pecuniary burdens. The first office of any kind which he held was that of member of the Detroit Board of Education, of which his friend Barstow had been president till his death. This position was conferred upon him about a year thereafter. The union schools were just getting into efficient working order, and the whole duties of management came upon the members of the Board, who had no superintendent or other

agent to help them in their supervision.

Mr. Bagley fell readily into the course of business, and was a valuable coadjutor to his older associates. At this time he became intimately connected with Mr. D. Bethune Duffield, who was then and after very prominent in school matters. The acquaintance soon ripened into friendship and confidence, and Mr. Duffield is one of the chief managers of his estate.

Naturally the young politician tried his hand at city government and became a useful member of the board of aldermen. In various ways he identified himself with the growth and improvement of the city, and acted as a good citizen in furthering sound policy. He paid special attention to the improvement of police matters, and was afterwards instrumental in securing the present police system, which he did much to complete. He also had a good deal to do with the founding of the Detroit House of Correction, and kept familiar with its management. His intimate knowledge of the methods of that institution enabled him to act subsequently wisely as well as humanely in dealing with the troublesome problems of prison discipline, which few men ever understood better.

During the Presidential campaign of 1860 he took a very active part. He had been an admirer of Mr. Seward and felt the same disappointment experienced by many other Michigan Republicans when he failed of a nomination. But, like most members of his party, he was not slow in discovering that Mr. Lincoln was the best nominee

that could have been found, and became his enthusiastic follower. During the uneasy times which preceded the storm he had no misgivings, and when the war came he was lavish of money and personal exertion in supporting the government and contributing to the comfort of the troops and of the sick and wounded. His face was familiar in camps and hospitals, and he never visited either without a full supply of articles welcome to the men.

He served on several public boards, and made it a point to acquaint himself accurately with everything relating to the matters under their charge. In the various schemes from time to time adopted for the control of local interests in Detroit, his ideas were practical, and he was always willing to do his full part in carrying them out.

In 1872 he was nominated by the Republican party to succeed Governor Baldwin and was elected, and held office for two terms, from January 1873 to January 1877. His administration was very successful, and he not only introduced many new methods but carried out and elaborated the schemes begun by his predecessor, in some directions which were especially familiar to him.

No governor of Michigan ever surpassed him in skill or wisdom in the improvement of the penal and charitable institutions of the state. He had from his youth been a student of the methods of prisons, and knew their defects, and had shrewd ideas how they might be alleviated if not remedied. He devoted much time and patience to

the subject of juvenile offenders and dependent children, which interested him to such an extent that it would have been a hobby if his good judgment had not balanced his zeal. He was instrumental in having provision made for local agencies to look after children charged with crime, and thereby prevented much wrong and suffering. He spent a great deal of time and attention in perfecting and enlarging the work of the school for dependent children, founded by his predecessor, and at the continental exposition in 1876 at Philadelphia few educational exhibits excited so much attention as the explanation of this great charity given by his procurement at that place. Steps were taken during his administration to enlarge the state provision for the insane. The reform school, which had not been managed in all respects as it should have been, was changed in its essential features from a close prison to a refuge, which while losing nothing in good order, became much more efficient for reform and encouragement.

In the various changes which he introduced in the treatment of unfortunates of all kinds the most striking feature was his constant habit of giving scope to his sympathy. His heart was tender and he felt very keenly for all forms of suffering. His habit of keeping in mind the moral and social bearings of all his public conduct was his most prominent characteristic. Few men with his ardent temperament and ready sympathies could have been safely trusted with the control of school and prison management and social

reform. But while he was an undoubted enthusiast his careful business habits and experience saved him from rash action, and although he made some radical changes no case has been pointed out where it could be truly said that he lost his head. His changes have proved in the main, if not entirely, beneficial. His success in this direction was aided by his repugnance to putting any one in charge of responsible interests without regard to humanity and good feeling as well as honesty and morality. When kindness and humane conduct have once been recognized as necessary factors in dealing with children or dependents of any sort, or even with wrong-doers, it is impossible to go backward and disregard them. His messages and public utterances have at times been criticised as over-humanitarian and laying too much stress on these things, but there can be no doubt that he was right in regarding them. The men whom history commends to the love and admiration of mankind have been men of warm feeling and large hearts. Foremost in Mr. Bagley's chapter of uncanonized saints he always placed Abraham Lincoln, whose soul was as tender as his judgment was wise and honest. He often visited the prisons and never failed to speak to the inmates with fatherly kindness. He made them all feel that they were not regarded as brutes and outcasts altogether from sympathy.

Governor Bagley found his official experience of a good deal of value to him personally in giving him a more thorough appreciation of the true prin-

ciples of popular government. No man was a more devoted admirer of American institutions, and the questions made prominent by the war of the Rebellion had necessarily led him to a deeper study of affairs. But he had been brought into intimate social relations with some of the amiable and intellectual philosophers who have thought it was their mission to regulate human affairs generally, and while his steady good sense always kept him from extremes, he had more or less vague confidence that legislation could be wisely framed outside of the assemblies charged with that responsibility, and could be made an educating power for the people. Before he ended his term of office he discovered, as a sensible man under those conditions usually does, that legislation, which is not the outcome of experience, is invariably bad, and that it is wiser to advance gradually and secure results not perfect than to aim at immediate perfection and get nothing. One experiment, for which he was not himself responsible, although he favored it, indicated by its results the keenness of the popular instinct in detecting any departure from the principles of representative government. The constitution of 1850 has always been regarded as a somewhat awkwardly framed document, and in some things might certainly be, as it has been improved. But the people are wisely unwilling to adopt changes that they do not thoroughly appreciate, and any extensive revision must always be open to the difficulty of misconception. When the time prescribed by the constitution itself for submitting it to a

revision had arrived, a convention of rare ability undertook that work and performed it faithfully, but their project had been rejected by a great majority. During Governor Bagley's administration the legislature authorized the governor to appoint a commission to prepare amendments for the consideration of the legislature to be afterwards, if approved, submitted to the people. This body was made up of very able and experienced men, who under the form of amendments prepared what was in many respects equivalent to a revision. There was among thoughtful people a strong repugnance to such an interference with the methods of amendment prescribed by the constitution itself, and the result was that while these deliberations and schemes furnished good suggestions, the general conviction was that all legislation, whether constitutional or statutory, should come first and last through the people's representatives, and should not present too many things at once for digestion. In the main Governor Bagley's own suggestions were of this character, and his successful effort to substitute for the old prohibitory law, which was not enforced, laws which restricted the liquor traffic by substantial checks which were enforced, was an exercise of good sense in aiming at what is practicable.

He was fortunate in the time covered by his official service in more than one particular. The new capitol building, which had been wisely planned by Governor Baldwin, had been so far advanced that the corner stone was laid at an early period in Governor Bagley's ad-

ministration. He was also enabled to secure some enlargement of the appropriations to make the building more perfect than the cautious legislature that first acted upon it could be persuaded was requisite. It was also during his term that the centennial of the American union occurred, and he was enabled to see that the state was represented in the various public demonstrations and especially at the great exposition of Philadelphia, where Michigan interests were very well cared for.

His administration was in all respects creditable, and particularly so for the care given to the charitable and other public institutions. He took a lively interest in the educational advancement of the state, and obtained liberal appropriations for the university and other general establishments. He was careful and exact in the duties of chairman of the state boards, and his knowledge of business economics suggested various improvements whereby money was saved without parsimony. By a change in the form and style of the printed laws and documents, he made a very notable saving, combined with a decided improvement in appearance. In the early days of the state the public printing caused the chief leak in the finances, and how to get the work done properly without waste has taxed the ingenuity of many state officers.

Governor Bagley left the public service with the respect of the people and a well-earned reputation. His administration ranks with the best.

It is not easy to deal fully and at the same time safely with the details of

private life. The interests of home and family concern the modesty and reticence of the living as well as the pleasant memories of the dead, and while such examples of household harmony please all rightminded people, they are not meant for the common discussion.

Governor Bagley married, soon after he reached manhood, Miss Frances E. Newbury, then of Dubuque, Iowa, whose father, Rev. Samuel Newbury, had been head of one of the branches of Michigan university. They had a large family of children and their home was one of domestic harmony and liberal hospitality. The father was the playmate of his children as well their guide, and his household holidays were his great delight. The memory of one little daughter is perpetuated in the Kitty Bagley fund of one thousand dollars invested by Governor and Mrs. Bagley to furnish Christmas gifts yearly to the little waifs of the state public school. All of the city hospitals and charities received munificent aid from his contributions, and he visited most of them habitually and showed his warm heart in personal intercourse with the inmates. One of the most touching sights at his funeral (which was attended by immense crowds from beyond as well as within the city) was a large body of Catholic orphans in charge of the Sisters. He made no lines of belief in his donations or sympathies.

A feature already hinted at was his enthusiasm for America. It was one of his favorite recreations to visit the places connected with important events

in the history of the United States, and the tears were always near the surface if they did not reach it when he visited Concord, and Bunker Hill, and Plymouth—all of which were frequent resorts—as well as the historic places and battlefields elsewhere. The sages of Concord looked upon him with a curious sort of affection and loved to visit his fireside in their western wanderings, but his reverence was more for the place where brave farmers gave the opening fire of the Revolution than for the less tangible field of subtle thought, and the burly form of the amiable giant brought their minds to pleasant realities.

The confinement of state business added to his own large enterprises produced some effects which caused uneasiness. With a large powerful frame and great bodily strength, Governor Bagley seemed the embodiment of health and cheerfulness. But there were some cardiac as well as pulmonary symptoms which after being neglected for a while admonished him to seek rest and change. He realized too late that while his life had been useful and he had spent it largely in cheerful enjoyment, yet he had never ceased to keep mind and body hard at work, and nature had not been fairly treated. With no positive breaking down, he admitted to his friends that he felt much weakened by weariness, and his public efforts and business exertions told heavily on him. In the fall of 1880 he began to refrain more systematically from fatiguing occupations, and in the spring of 1881 went to California where he died. His death was unexpected except by his

friends and produced a profound sensation throughout the state.

He had been successful beyond most men in honestly amassing wealth, and in fairly securing public honors. He had enjoyed a happy home, and was personally loved by many friends and associates, and by many more whom he had comforted in their adversity. In sorrow and in success his sensitive emotional nature was his strength and his weakness. It prompted him to bring into all his business, public as well as private, an element of personality that brought poor and rich together and kept up a sense of human brotherhood. But it made him more keenly sensible to the buffets and disappointments met by all ambitious men, and every wound made a heartache.

No human ambition ever reached all that it longs for. He was too manly to make weak complaints, and too wise not to know that honors do not always crown the worthiest. But there were times when he thought—and perhaps with reason—that he had met with failures where confidence had been unduly vested and not justified.

But he died conscious of much good done, as well as contemplated, and left behind him memorial provisions for the community that he loved. And he will be remembered as he would have wished to be remembered, not only as a large-hearted and enterprising forwarder of municipal and state interests, and an unflinching patriot, but as one who loved his fellow men.

J. V. CAMPBELL.

PITTSBURGH.

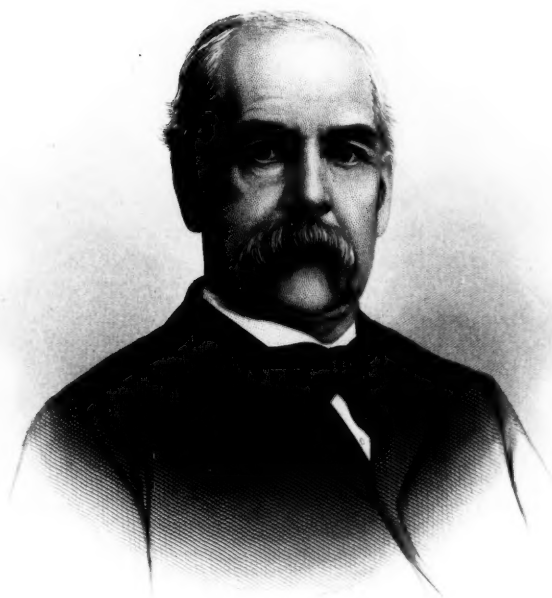
XII.

JAMES PARK, JR.

No man in the country did more for the steel-making interests of America, at a time when they needed help, than James Park, jr., of Pittsburgh, whose name and memory are forever kept alive in the great establishment of which he was the creator and the head. He furnished faith, courage and capital at a time when the great majority were skeptical, and when all his ventures were met with the prophesy of failure. But he went forward without one thought of fear, and great indeed was his reward, in fame, in material benefits,

and in the good he was enabled to do for his country.

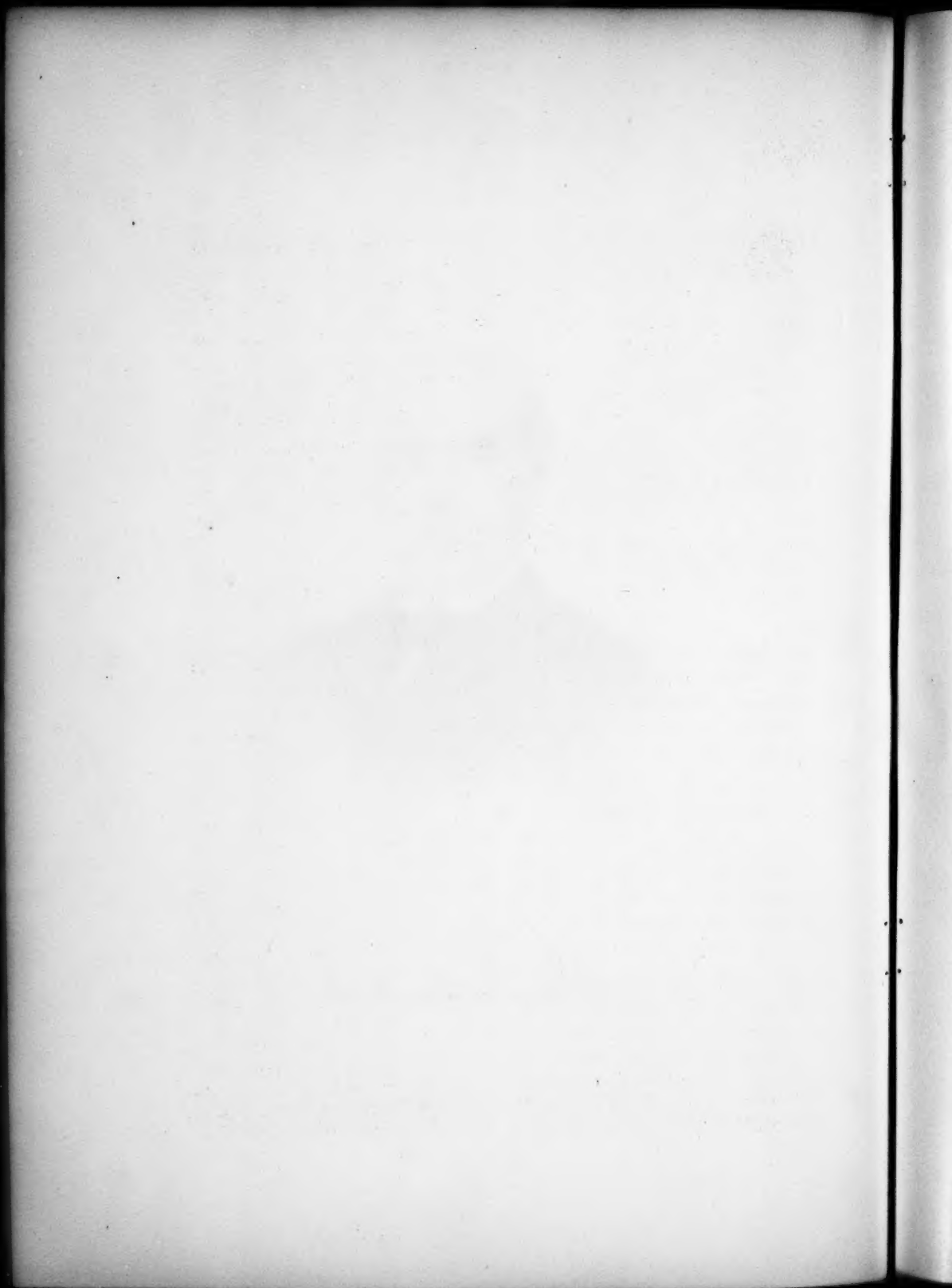
The father of Mr. Park, James Park, sr., was born in Ireland, and on coming to America was engaged in the grocery business in Baltimore. He removed to Pittsburgh in 1812, and was at first located on the Diamond, and afterwards on Second avenue, where the warehouse of James Park, jr., was erected at a later date. He was first engaged in the grocery and metal business, to which he added queensware in 1835. He died in 1843, leaving a high personal and business reputation. His integrity and pru-



"Gleaner's Western Artist"

James Park Jr.

Engraved by E. C. Williams & Co. New York



dence, industry and well regulated methods, insured him prosperity and success. His wife, the mother of the subject of this article, was Margaret McCurdy, the daughter of a leading physician of eastern Virginia. They were married in 1815. She was a lady of unusual education and culture, a prominent and liberal member of the First Presbyterian church of Allegheny, and marked by the possession of a high and noble nature.

James Park, jr., was born in Pittsburgh on January 11, 1820. He was liberally cared for in the line of education while young, and numbered among his successive tutors Mr. Samuel Kerr, Rev. Joseph Stockton and Mr. John Kelley. In 1837 he entered upon the business career, in which he made so high a mark, being employed in the queensware department of his father's warehouse. Three years later he became one of the partners of the establishment, the firm becoming James Park & Sons. On the death of the father, in 1843, the name was changed to James Park, jr., & Company. In this connection, and with other lines of enterprise, Mr. Park for years made himself a power in the business world of Pittsburgh. As the grocery was followed by the handling of queensware, so that was followed by the cotton factory, the foundry, the copper rolling mill, and finally the great life-work in which Mr. Park was engaged—the making of steel. It was a new thing for American industry, and only men of the grandest courage and faith could have undertaken it, in the face of the obstacles and the opposition

that lay in the road toward success. English steel filled the market, and English influences controlled public opinion. When Mr. Park entered on his experimental work, he was again and again urged to give it up, lest certain financial ruin should overtake him. But he had the faith and tenacity, and he kept on. He insisted that with proper materials, methods and scientific knowledge, success was sure, and his patriotism did not allow him to believe that America could not do all that England had done. The firm of which Mr. Park was the head, that of Park, Brother & Company, succeeded in 1862 in making crucible cast steel of the best grades, and at a uniform quality, as a regular product. This was about the beginning of that line of business in America, and Mr. James M. Swank in his 'Iron in all Ages' says that "the event was one of great importance, as it marked the establishment in this country of a new industry which was destined to assume large proportions, and to be of immense value; it met a want that had long been felt, and dissipated the long-standing belief that this country possessed neither the iron nor the skill required to make good cast steel. The establishment of this new industry, following closely in the wake of our successful application of anthracite and bituminous coal in the manufacture of pig iron, assisted greatly to advance our metallurgical reputation, and to create confidence in our future metallurgical possibilities."

In 1863 Mr. Park, in the line and prosecution of the belief outlined above, had part in an enterprise that put Amer-

ica forward still one more step in the line of steel-making. In company with several other gentlemen, he established works at Wyandotte, Michigan, in which should be tried the experiment of making steel by the Bessemer process. In the fall of 1864 the object sought was obtained, and the first Bessemer steel ever made in the United States was placed on the market. To show how Mr. Park was always reaching out for new and better results in the future, I again quote from the work above named :

On the first of December, 1862, Park, McCurdy & Co. of Pittsburgh sent Lewis Powe, the manager of their copper works, to England, to study the manufacture of tin plates. While there he visited Birmingham and saw a Siemens gas furnace, and procured one of the Siemens pamphlets containing a full description of it. On his return home he called the attention of James Park, jr., to the advantages of the furnace. Immediately after July 4, 1863, the erection of a Siemens gas furnace was commenced at the copper works. This furnace was erected for the purpose of melting and refining copper, and was completed on the fourteenth of August, 1863. It was constructed after the drawings contained in the Siemens pamphlet, and worked well.

The size and importance of the great works that Mr. Park's genius and business ability created can be imagined somewhat from the following figures, made in 1876, since which time the establishment has gained in size and reputation :

"Black Diamond works, owned by Park Bros. & Co., located at Thirtieth and Smallman streets, established in 1862 by Park Bros. & Co., have 72 coke melting holes, 2 24-pots Siemen, 6 trains rolls, 21 steam hammers, 6 puddling furnaces, 48 heating furnaces, with a capacity of 10,000 tons."

The 'Iron In All Ages,' referred to in the foregoing, has this to say of one department of these great works :

On the sixth of September, 1881, Park, Brother & Co. of Pittsburgh put in operation for the first time their seventeen-ton steam hammer, which is the largest in the United States. It will work steel ingots two feet square. The anvil—which is the heaviest iron casting ever made in this country, weighing one hundred and sixty tons—was cast a few feet from its place with five cupolas, under the direction of Park, Brother & Co., on October 5, 1880. It is eleven feet high, and measures eight by ten feet at the base and four by six feet at the top. The hammer and its fittings occupy a ground space twenty-six feet long by thirteen wide. Its height from the ground is thirty-two feet. The weight of the cast-iron cylinder is about eleven tons; the bore is forty inches and the stroke nine feet. The whole cost of the hammer, anvil and fittings, ready for operation, is estimated at \$52,000.

Mr. Park was also connected with other enterprises that had their influence on the business life of Pittsburgh, and made himself felt through more than one channel of usefulness. He was the first president of the Dime Savings institution, afterward the Pittsburgh Bank for Savings, that was incorporated in 1862. Mr. Park held the presidency thereof from that year to 1865. He was one of the corporators of the Western Pennsylvania hospital, and ever a warm and generous friend to that institution. During the war for the Union he was a loyal and earnest friend to his country's cause, being one of the leading spirits in the United States sanitary commission that did such good work for the soldiers in the camp, on the march, and in the field. He was a moving spirit in the raising of troops; the Park Independent battery; the Park Zouaves, and the Park Rifles, that were named after him,

being so many evidences of his labors in that direction. His purse, time and energy were all freely placed at the service of the cause, and no man in Pittsburgh did more than he for the relief and aid of soldiers' families. He represented his ward for some time in the Allegheny council, and was the originator of the Allegheny park system, a monument, indeed, to the public spirit and far sighted vision of any man. He was a trustee of the Western university, and a friend in every way to law and order, the cause of education, the church, the Sunday school, and every reformatory or moral work.

Mr. Park was an honest and outspoken believer in protective tariff, and his views thereon came from knowledge and study, and were not the mere results of the business in which he was engaged. He was one of the best informed men in the country on that subject, and possessed great influence in Washington in the shaping of tariff legislation. His honesty of opinion on that and other public questions was conceded by all.

While his nature was frank and open, his determination in pursuing any line of policy that he thought to be right was of the most steadfast character. When he resolved to accomplish anything, great or small, no combination of circumstances could induce him to change his purpose. He would never stop short of success, or a demonstration of impossibility. He ever took a deep interest in his employes, and each one looked upon him as a firm and unchanging friend. His heart was open to any appeal for help, and his generosity was

a deep and continual stream. His business integrity was of the highest character, and was shown forth in so many ways that his name was a synonym for honesty wherever known.

Some idea of the standing which Mr. Park enjoyed in the business community can be found in the action taken by the Pittsburgh chamber of commerce on the occasion of his death. In the resolutions adopted in honor of his memory these words occur: "In giving expression to the sentiments that pervade the entire community, the chamber of commerce would place on record the profound respect and sincere admiration for the life and character of James Park, one of the charter members and for years a director. In his life he illustrated and adorned every virtue which makes the upright man and progressive citizen, and we hold up his life work as a bright example for the youth of this and all other countries to imitate. The best and most enduring monument to our departed member is the conspicuous fact that the vast industrial interests of this great city are so largely indebted to his energy and foresight for their past prosperity and future promise." In a volume published some time ago, entitled 'The History of the First Presbyterian Church of Allegheny,' may be found the following appreciative reference to Mr. Park, and his religious and social life:

The people of this community are especially indebted to him for energetic and self-denying labors in the promotion of its great public improvements. He was one of the organizers of the Allegheny gas company, and also one of the first to move in the establishment of the water works. The process of converting the commons, the unsightly dumping-grounds

of fifteen years ago, into the present refreshing and attractive park, is within the recollection of many. He was president of the original park commission, and was instrumental in securing the services of the celebrated Ike Marvel, in accordance with whose designs its walks, fountains, flower-beds and trees were arranged. In May, 1844, Mr. Park visited Europe, and having spent more than a year in foreign travel; he returned in July, 1845. On the first day of June, 1847, he was joined in marriage with Miss Sarah Gray. In May, 1865, he visited Europe a second time, being absent but three months. On Sabbath, February 1, 1852, Mr. Park and his wife were received in full communion in the original Second Presbyterian church, Allegheny, located on ground now occupied by dwellings Nos. 55 and 57 Washington street. In October, 1853 it was dissolved, and in January, 1854, Mr Park and his wife con-

nected themselves with this church. On Sabbath, September 19, 1858, he was ordained and installed an elder. As trustee and Sabbath school teacher also, he has labored to promote the interests of this church.

Mr. Park's useful and successful career came to an end on Saturday morning, April 21, 1883. A busy life lay behind him, and for the future he had no fear. He had done his share of the world's work, had filled every allotted station of life with honesty and high honor, and left behind a name of which his family and friends have good reason to be proud.

HENRY K. JAMES.

THE MUNICIPAL GROWTH OF CLEVELAND.

II.

THE PUBLIC SCHOOLS.

The township, village and city growth of Cleveland having been traced upward to 1850 in a preceding article, it is proper to take a backward glance at the evolution of her school system before proceeding farther along the line above indicated. The early settlers of the Western Reserve coming largely from New England, it was but natural that as soon as the pressing necessities of physical life were supplied in the new land to which ambition and hope had called them, they should seek to give their children the educational advantages they had themselves been heir to in the old eastern home. It was a problem not easy of solution, and if the schools were at first crude, and uncertain as to length

of term or evenness of course, they were never commonplace, and the teacher as a rule was one who could give practical common sense to those who had been committed to his care, and a fair knowledge of the elementary studies, even though he might not have been the honor-man of a college, nor even placed his eyes on college walls.

The earliest hints of an organized attempt at education within the limits of what is now Cleveland come through tradition rather than any well-grounded knowledge. It is said that as soon as the three first families who found themselves on the ground had taken count of their resources, and an enumeration of their children, they decided that the five latter should begin life aright, and

promptly gathered them into a school. The first institution of that character of which we have knowledge, was taught by Miss Sarah Doan, daughter of Nathaniel Doan, of Doan's corners, in what was then known as the Kinsman neighborhood, near the present corner of Kinsman street and Woodland Hills avenue. The building in which the school was held was of logs, while the attendance of the pupils was rather uncertain, because of the distance to travel, the demands of fever and ague, and the need of their help at home. During these early years schools were kept with more or less regularity in that neighborhood and at Newburgh,*

* Extract from a paper read by Mr. Isham A. Morgan, before the meeting of the Early Settlers' association: "The Rev. Stephen Peets, whom some of the old inhabitants of Cuyahoga county may remember, taught our school in the winter of 1814-15. During the term he got up an exhibition for the evening of the last day of school. On the road from Newburgh to Cleveland, now Broadway, where you first get a view of the river from the high land, was Samuel Dille's house, which, of course, was a log house. It was large for the times, and in it was a spacious upper room, the length and breadth of the house. There the people of Newburgh and Cleveland assembled and witnessed the performance of 'The Conqueror,' taken from the *Columbian Orator*; the 'Dissipated Oxford Student,' also taken from the same book; 'Brutus and Cassius,' taken from the *American Preceptor*; and several other pieces. The various parts were conceded by the critics there to have been performed in admirable style. After the performance my father, mother, two sisters and myself returned home, a distance of a mile and a half, on the family horse. Two adults and three plump children, six to twelve years of age, might now be considered a large load for one horse to carry; and five on a horse, as may be supposed, would now render a cavalcade somewhat uncouth on the broadways of Cleveland. But then people dispensed with stylish appearances, and accommodated themselves to the necessities of the times."

while the sparseness of population then in Cleveland proper prevented any serious attempts in that direction. There are evidences of a school here as early as 1810, when the town had fifty-seven inhabitants, but the first of which a record can be found is that kept by a Mr. Chapman in 1814. The first school house in the village of which there is any account, was probably erected in 1815, as the elder Leonard Case, who removed here from Warren in 1816, mentions it as then existing, as also does Mr. Moses White, who speaks of it as "a little new building about eighteen feet by twenty-eight, with a stone chimney, located where the Kennard house now stands." It was built by subscription, and the action taken by the village authorities for its purchase and the refunding the money subscribed has already been described in the preceding article above referred to.† This little structure was not only the school building but the "meeting house" as well, being occupied as such whenever a minister came that way in the winter, while the larger and cooler court house served the same purpose during the summer. The schools kept therein were never organized in any manner by the public. The use of the building was simply donated to the teacher, who would fix his own tuition fee and take his risk of collecting it from the parents of those who might attend. The inside workings of the pioneer schools, showing the management, course of study, and text books used, have been so well

† See 'Magazine of Western History,' for May, 1886, page 69.

described by Mr. George Watkins, a Cleveland pioneer, in a recent newspaper article, that I cannot refrain from quoting therefrom. He speaks of a building located in what afterwards became East Cleveland, as follows :

My first recollection of a school house was of one on Fairmount street, and a second a block log house on Giddings avenue. This was built in 1822, and I began to attend there the same year. The building was about fifteen by twenty feet. It was called a block house because the logs were hewed on both sides. It was lighted by five windows. The old stone fireplace was six feet across. On three sides of the room was a platform seven or eight feet wide and about one foot high. An upright board was placed a foot or so from the edge of the platform. Here the little children sat, the board serving for the back of their seats. On the platform and against the walls at the proper height was the writing desk of the older pupils. This desk was continuous around three sides of the room. The seats, like the desk, were of unplanned slabs, which ran parallel with the desk. When it was writing time the boys and girls had to swing their feet over and proceed to business. We wrote with a goose quill, and every morning the master set our copies and mended our pens. We had school but three months in the year, in the winter, and it was no small labor to get ready for this comparatively short time. Everybody was poor ; there was no money in the country. Everybody intended to have the children ready for school about the first Monday in December. This opening day was a great event in the backwoods of Cleveland in 1822. The organization of the school would seem a little

strange now. The teacher was chosen not so much from his knowledge of books as because he had no other business. He was paid the enormous sum of \$10 per month and boarded himself. It was often a hard thing to raise even this \$10 to pay him.

On the first morning, just at nine o'clock, the new teacher stepped to the door and shouted, "Boys and girls, come into school." We obeyed promptly. The next command was issued, "Now take your seats," which we proceeded to do. Then we were classed. The first class were those in the 'English Reader,' the second in the 'American Preceptor,' the third in the 'New Testament,' the fourth in 'Webster's Spelling Book.' We read all around, class by class, before recess and after, we read again and spelled,

standing on the floor. It was a great honor to be at the head and keep there three or four days running. We had neither grammar nor geography in any school that ever I attended. The arithmetics were Daboll's, Adams' or Pike's, just as the children happened to have. Such a thing as an arithmetic class was unknown. Each scholar who studied that branch worked in his or her seat; when he



FIRST SCHOOL BUILDING, ERECTED IN 1826.

could not do a sum help was asked from the teacher, who was often puzzled. No one went further than the rule of three, and he was considered a smart boy who could master that. This school on Giddings had twenty-five or thirty scholars. There was no district. Everybody came. The children who came the longest distance were from a house on what is now the Weddell property. We had school from nine o'clock in the morning to four in the afternoon, six days in the week. In those days the master never spoiled the boys by sparing the rod. Oh, no ! We kept four or five rods seasoning amongst the logs, and always carried a ruler eighteen inches long in his hand to touch up unruly boys. At Christmas we

planned to bar out the teacher, nor did he get in until he furnished a pint of whisky.

The year 1821 saw an important onward step in the erection of a two-story brick building on St. Clair street, called the Cleveland Academy. It became one of the educational landmarks of the day, and lives with honor and tender affection in the memories of many of the older residents of Cleveland. It was built by the people by private subscriptions, and was opened to use on June 26, 1822, with Rev. Wm. McLean in charge. Reading, spelling and writing were taught for one dollar and seventy-five cents per term; gram-

mar and geography were included for two dollars and seventy-five cents per term; while Greek, Latin and the higher mathematics cost four dollars. At a later date, when Cleveland held a larger population and better facilities were demanded, the higher department was removed to the upper hall, while the lower grades were kept down below. It was here, in 1824, that Hon. Harvey

Rice, who has done more than any other man for the schools of Ohio, first touched on the public life of Cleveland. Coming direct from college he took charge of the academy, and for several terms taught with such force and ability that he made his mark on the day, and is held in grateful memory by such of his pupils as are yet with him on the shores of time. The academy school was

kept up until about 1836, when it was superseded by the newly organized school system of the city. The building was leased for a couple of years for the use of the common schools, and was finally sold to the city



PROSPECT STREET SCHOOL HOUSE, ERECTED IN 1840.

in 1839.

As early as 1825 we hear of a young ladies' academy, wherein the common branches, with the addition of painting, needlework and embroidery were to be taught. Several private schools were opened at various times, but came to no great degree of success. About 1833 a school was established by several benevolent parties for the benefit of such as

could not afford to send their children to an institution where a tuition fee was required. It was called the "Free School," and received some help from the village authorities, for soon after the organization of the city government, the council voted to employ a teacher and assistant to conduct it until a definite system should be organized.

The city of Cleveland having been duly incorporated, it was seen that some steps must be taken immediately to place the school system on some definite and fixed basis, and to bring the public education under municipal control. Accordingly on October 5, 1836, the first board of school managers was constituted, consisting of Messrs. John W. Willey, Anson Haydon and Daniel Worley.* These gentlemen began a

* In March, 1835, an act was passed to incorporate the city of Cleveland. Sections XIX. to XXIV. of this act authorize the city council to provide for the support of common schools, to levy a tax of not more than one mill on the dollar of the assessed valuation of property, for the purchase of sites and the building of school-houses, and one mill additional for the support of a school in each of three wards of the city, for a term not less than six months in the year, which should be "accessible to all white children not under four years of age." The council was also required to "fix, by ordinance, the commencement and termination of the current year of said common schools, and determine the time and duration of all vacations thereof." The administration of school affairs was vested in a board entitled, "The Board of Managers of Common Schools in the City of Cleveland," to be appointed by the city council for the term of one year. This board of managers had the superintendence of the schools, made all minor regulations for their government, examined and employed teachers, and were required to "certify to the city council the correctness of all accounts for the expenses incurred in the support of the schools." In fixing the salaries of teachers, the board of managers had to have the approval of the

serious study as to what should be done for the best interests of all concerned, and applied themselves seriously to the great task set before them. On March 29, 1837, we find them reporting to the city council that they have continued the "Common Free School," and that its cost for the quarter ending March 19, has been one hundred and eighty-five dollars and seventy-seven cents. They urged in this report the need of a more generous support on the part of the city, and the pressing need of new schoolhouses. The second board appointed in 1837, consisted of Samuel Cowles, Samuel Williamson and Philip Battell, who ably carried on the good work their predecessors had inaugurated.†

city council, and they could not expend for repairs and supplies more than ten dollars for any one school building without the consent of that body. The restrictions of the privileges of the schools to white children seems to have been unobserved from the beginning, colored children, of whom there have always been comparatively few, being admitted on equal terms with the whites.—Board of Education Report, 1876.

† The complete list of school managers from 1836 to 1858, inclusive, bringing the record up to the first board of education elected by the people in 1859, is as follows: 1836 and 1837 as above given; 1838, Henry H. Dodge, Henry Sexton, Silas Belden; 1839, Levi Tucker, Henry Sexton, Silas Belden; 1840, Levi Tucker, Silas Belden, Samuel H. Mather, Robert Cather; 1841, Charles Bradburn, George Willey, Charles Stetson, Madison Kelley; 1842, same as 1841; 1843, Charles Bradburn, Madison Kelley, Robert Bailey, H. S. Noble; 1844, Charles Bradburn, T. P. Handy, Thomas Richmond, J. B. Finney; 1845, Charles Bradburn, George Willey, R. T. Lyon, Madison Kelley; 1846, Charles Bradburn, T. P. Handy, Samuel Starkweather, William Day; 1847, Charles Bradburn, J. D. Cleveland, T. P. Handy, George Willey; 1848, George Willey, J. D. Cleveland, Samuel Williamson,

During the winter the six schools were retained, and two more added for small children. There were eight hundred and forty names on the rolls, and an average attendance of four hundred and sixty-eight; the cost for that term being \$868.62. During the year following the number of schools was increased to eleven, the average attendance being five hundred and eighty-eight. In 1839-40 the lots on Rockwell and Prospect streets, now owned by the board of



EAGLE STREET SCHOOL, ERECTED IN 1854.

John Barr, William Smyth; 1849, George Willey, J. D. Cleveland, Samuel Williamson, Robert Bailey; 1850, George Willey, J. D. Cleveland, T. P. Handy, Robert Bailey, John C. Vaughn; 1851, George Willey, J. D. Cleveland, T. P. Handy, John B. Waring, James Fitch; 1852, George Willey, Charles Bradburn, William D. Beattie, T. P. Handy, James Fitch; 1853, same as 1852; 1854, George Willey, T. P. Handy, S. H. Mather, W. D. Beattie, B. Steadman, James A. Briggs, J. L. Hewett, R. B. Dennis, Horace Benton, B. Sheldon, A. P. Turner; 1855, George Willey, S. H. Mather, T. P. Handy, W. D. Beattie, L. C. Ingersoll, J.

education, were purchased, and buildings erected thereon. These, with the academy building, would seat six hundred pupils comfortably, but were compelled to accommodate fully nine hundred. The new system may, at this point,

be said to have passed the formative period and gone fully into operation. In each of the three buildings a school was organized in December, 1840, with a senior and primary grade.—Three principals were chosen, who were also the

teachers of the boys' department in the senior grade. These were A. M. Gray in the Rockwell school, Andrew Freese in Prospect school, and George W.

Gardner, B. Steadman, Horace Benton, J. A. Briggs, R. B. Dennis, B. Sheldon; 1856, Charles Bradburn, George Willey, R. B. Dennis, Horace Benton, S. H. Mather; 1857, Charles Bradburn, George Willey, Horace Benton, S. H. Mather, R. B. Dennis; 1858, Charles Bradburn, George Willey, Charles W. Palmer, T. S. Paddock, R. B. Dennis.

Yates in the St. Clair street school.* In addition to the above there were the Bethel school, one on the corner of Prospect and Ontario streets, and one on Chestnut street. A uniform list of text books was prescribed, although the teachers were given the power to divide the schools into such classes as they saw fit. The only subjects taught higher than the ordinary English branches were algebra and natural philosophy. The furniture of the school room was of the most primitive form, consisting of two long rows of seats extending around the room a short distance from the wall, the rear ones having no backs, and the front ones no fronts. It was not until 1846 that a more modern seat came into use. The salary of the male principals was ten dollars per week, a school week comprising five and one-half days.

Little change was made in this order of business until 1846, when a step onward and upward was taken. In the spring of that year, Mayor Hoadly, in his address to the council, made an important recommendation. "I earnestly recommend to your favorable consideration," said he, "the propriety of establishing a school of a higher grade—an academic department, the scholars to be taken from our common schools according to merit. This would present a powerful stimulus to study and good

conduct. The poorest child, if possessed of talents and application, might aspire to the highest stations in the Republic." The suggestion was favorably received, and at the meeting of the council on April 22, Josiah A. Harris, chairman of the committee on schools, proposed a series of measures that were adopted, and which resulted in the formation of Cleveland's first high school. The basement of the old church on Prospect street was leased, and Andrew Freese was chosen as principal. There was the usual amount of opposition both with the public and the city authorities, but it gradually died down or was removed by the usefulness of the new school, and it went steadily through the various stages of development and growth. In 1851 a cheap wooden building was erected on Euclid avenue for the use of this school, and was replaced in 1856 by the three story brick now occupied by the board of education and the public library.

In May, 1853, another step in the onward advance was taken when Hon. Richard C. Parsons, with that progressive spirit that has always animated him in public works, introduced into the city council an ordinance establishing the office of superintendent of instruction, which became a law in the following June. It devolved on the board of managers to fill the office, while the fixing of the salary was in the hands of the council. Mr. Andrew Freese was called from his work in the high school and assigned to this new and responsible task. At first he gave a part of his time to that school, but as

* The first teacher employed in the public schools of the city was R. L. Gazlay. Among the teachers who were employed previous to 1839 the names of the following have been secured: Luther Hunt, W. W. Phillips, C. W. Fullerton, H. C. Skinner, Malinda Slate, Marietta Pelton, Eliza Johnson, J. W. Gray, Julia Butler, Elizabeth Armstrong.

the needs of the schools increased, and their chances for usefulness unfolded, it was decided that he should give his entire time to supervision, for which the council was with some difficulty persuaded to allow him thirteen hundred dollars per year. Mr. Freese held this office for eight years, and was a potent factor in giving the schools of Cleveland a right direction during those early years of growth. In 1854 Ohio City

wards electing annually. Though the board of education now held the same relation to the people which was held by the city council, the board was still subject to the council in several particulars. It was still the city council which was required to "provide and support such number and grade of schools, in said city, as may be necessary to furnish a good common school education to all the children resident



CENTRAL HIGH SCHOOL, ERECTED IN 1856.

and Cleveland became one, and the schools of the two corporations were consolidated, and placed under one control.

In 1859 the old order of government gave way to the new. By special enactment of the legislature the election of members of a board of education was for the first time placed in the hands of the people, one member being elected from each ward, and one-half of the

therein," and to "support two high schools." The board was required to certify to the council an estimate of the amount necessary to be raised for school purposes; but the city council might at pleasure levy a tax for an amount greater or less than the amount thus estimated, provided it did not exceed the limit fixed in the general law of the state. The board had the management and control of the schools, employed

and dismissed teachers and fixed their compensation, furnished all necessary supplies and apparatus, but could not expend more than fifty dollars for school furniture or repairs for any one school or school building, without first obtaining the consent of the city council. In like manner, the approval of the city council was required in fixing the boundaries of school districts. In April, 1868, another act was passed "to provide for the support and regulation of the public schools in the city of Cleveland," by which all restraints of the board of education on the part of the city council were removed, saving one: whenever additional school room was necessary it became the duty of the board of education to recommend to the city council the "purchase of proper sites and the erection of suitable school houses thereon," and it was then required of the council that it should act on such recommendation without delay, and in case of approval, to "provide in such manner as shall seem most expedient such sums of money as may be necessary to carry the same into effect." This change of legal power gave the board complete control of the schools, giving it power to levy taxes without restriction by the council, and allowing the council power only in the purchase of real estate and the erection of school buildings. But in May, 1873, a general law was passed by the legislature whereby all special enactments pertaining to the management of schools in towns, cities and special districts were entirely superseded. This gave the city council no voice whatever in school

affairs and it is under that system that Cleveland is still at work. The members of the first board of education elected by the people were as follows: Charles Bradburn, Allyne Maynard, Charles S. Reese, William H. Stanley, Nathan B. Payne, W. P. Fogg, Lester Hayes, J. A. Thome, F. B. Pratt, Daniel P. Rhodes, and George R. Vaughn. The dawn of 1860 found the school system of the city in a shape that produced good results for the present, and offered larger rewards for the future. The schools on both sides of the river had been consolidated; a board elected by the people was in control; a superintendent gave his whole time to oversight; and a high school was in progress both on the east and on the west sides of the river. Music and drawing had both been introduced at previous dates, but were at this time suspended, because the hard times following the panic of 1857 had caused the authorities to retrench wherever it was in their power. During the War of the Rebellion, and running on up to 1865, the schools kept growth apace with the rest of the city, but little was done in connection with them which would be of general historical interest.

Mr. Andrew Freese held the position of superintendent from 1853 to 1860, inclusive, giving to the public a service which was of the highest character and a faithfulness and attention to duty that no man could have excelled. Mr. L. M. Oviatt was his successor, serving during 1861 and 1862. Rev. Anson Smyth was the next incumbent of the office, his term covering from 1863 to



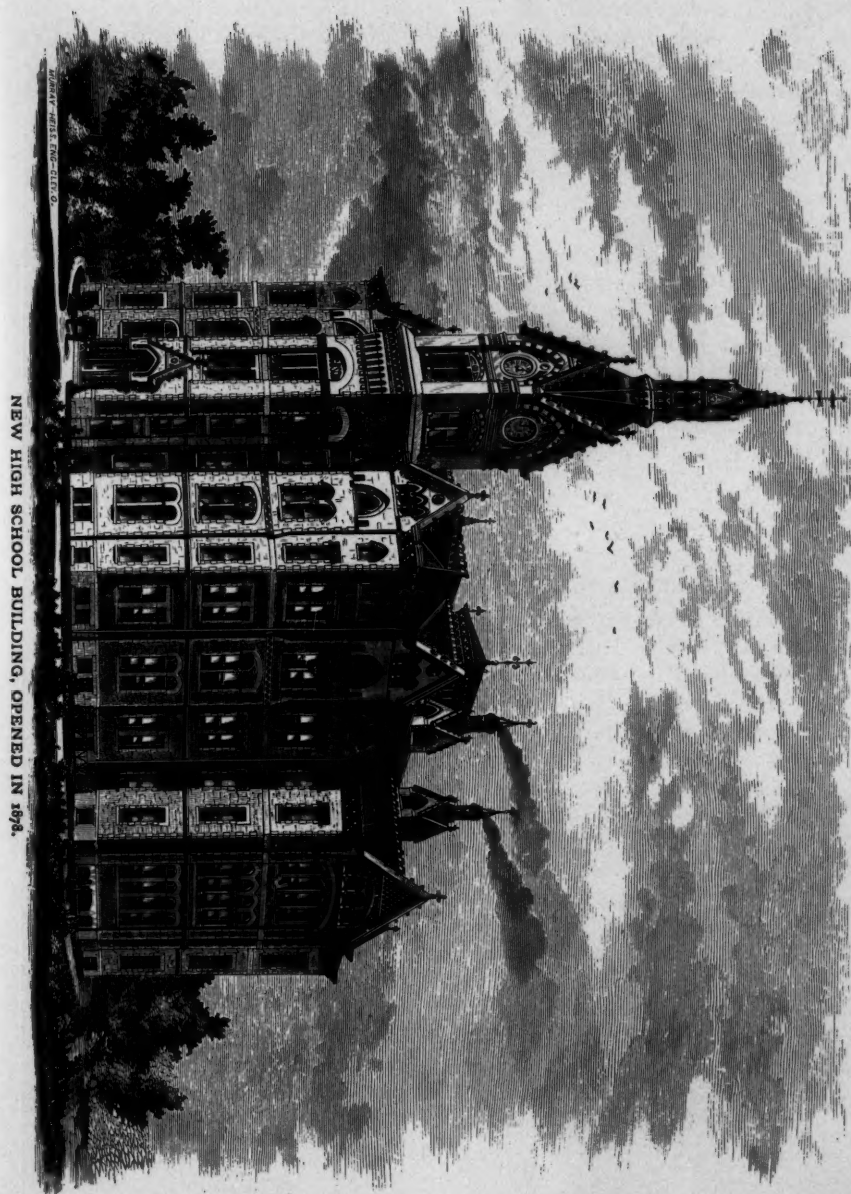
ST. CLAIR SCHOOL. ERECTED IN 1869

1866. The men who were at that time in control of the educational interests of Cleveland were determined to secure the services of a man whose experience and ability were equal to the tasks to which he would be called; and after investigation and consideration Andrew J. Rickoff was elected and accepted. The wisdom of that choice was shown in the works he was able to do during his long control of the schools. Mr. Rickoff was then in his prime, and his engagement was no experiment, as he had demonstrated elsewhere what there was in him. A graduate of the common schools of Cincinnati and of Woodward college, he had given his entire life to teaching. He had first been employed in the schools near Cincinnati; had charge of the schools of Portsmouth, Ohio, for five years, and was then called to Cincinnati, where he took his place as teacher where he had been pupil only a short time before. He was promoted upward step by step and was superintendent for five years. In 1867 he was again elected superintendent of the Cincinnati schools, but refused the office to come to Cleveland, where he had been elected superintendent. His work here speaks for itself. As an educator he had always stood in the front rank and been considered a power in the educational world. In the 'History of Education in the State of Ohio,' published by authority of the general assembly of the state, in 1876, may be found this reference to him and the work he was able to do in this city:

No man in Ohio has studied more thoroughly the classification of schools, and done more during the

last twenty years to bring about the degree of perfection which has been attained in the present system of grading, than has Mr. A. J. Rickoff, now superintendent of the Cleveland schools. Mr. Rickoff's attention was called to this important subject when, in 1854, he was superintendent of the public schools of Cincinnati. Soon after he entered upon the duties of his office he made a report on the expediency of organizing grammar schools as a part of the school system, intermediate between the district and high schools. In this able report he defines classification to be "the arrangement of pupils according to proficiency and capacity for study, into grades, classes or divisions. That system of schools is most nearly perfect which enables us to secure the nicest classification. It is at once the most economical and the most efficient—the most economical because it gives the greatest possible number of pupils to the teacher, and the most efficient because it gives to each pupil the greatest possible share of the teacher's time and labor." In accordance with this plan, which differed in many points from any plan previously adopted, and on his recommendation, the grade known as the intermediate in the Cincinnati schools was established. So perfect was the grading and classification of these schools at this time, that few essential changes have since been found necessary.

Mr. Rickoff, to glance ahead for a moment, recommended the plan of organization that was so successfully carried into operation in this city. Though it differs from the one adopted in Cincinnati, it is thought to be better adapted to the requirements of the situation here. The firm touch of Mr. Rickoff's trained hand was felt from the moment he took charge of the public schools. In his first report to the board, for the school year ending August 31, 1868, it was seen that he not only had the needed knowledge and experience, but also the executive faculty that would enable him to make the best use of the materials at hand, and produce the desired results. His suggestions were to the point: "For the short time the chil-



NEW HIGH SCHOOL BUILDING, OPENED IN 1879.

dren are under our care," said he, "no pains should be spared to do for them all that can be done. The readiest tact, the widest experience, the noblest influence should be brought to bear upon them in the school room. We should not, must not, rest satisfied with merely instructing them in the rudiments of a common school education, but we must aim to implant in them a love of learning, inspire them with noble aspirations; we must labor hard to send them from our hands with impulses, at least, to become good scholars and good men." That report is replete with practical suggestions, many of which were put into action as soon as possible, adding vastly to the value and efficiency of the schools.

Glancing hurriedly over the several years succeeding Mr. Rickoff's connection with the educational interests of the city, these points of interest are brought to light: In 1867 East Cleveland was annexed, and its schools came under control of the city. In 1868 supervising principals were appointed, to take immediate direction of the teachers in the grammar and primary departments. Consequent on this change ladies were placed in direct charge of the various school buildings, instead of men, as had been the custom at an earlier date. At the beginning of the spring term in 1870, the study of German was introduced into the schools, nine teachers being at once employed for the purpose of teaching that language. The next year this number was increased to sixteen, while twenty-five were needed in 1872. "The demand for German instruction," writes

Mr. Rickoff, in his report in the year last named, "especially among those of English speaking parentage, is far beyond expectation. It has already become one of the most useful departments of school work, and is rapidly gaining in the esteem of the people. It was a great step to organize classes for the instruction of three thousand five hundred pupils in a foreign language, and within so short a time. That it has been done without friction, and without a word of opposition on the part of the teachers of the schools . . . is somewhat remarkable." In 1874 the normal school was established, to instruct inexperienced applicants for positions in the oral work of teaching, before entrusting them with the entire management of schools. It was opened in the Eagle street building, with Mr. Alexander Forbes in charge. The results of the first year were so satisfactory that the board of education felt justified in continuing it, and it has been one of the effective educational forces of the city from that day to the present.

In 1876, Centennial year, the board of education issued an annual report that was filled with historical and statistical matter of the most valuable nature, tracing in outline the record and work of the schools, and filling in many details of an interesting character. I take the liberty of borrowing a number of points therefrom, and will not carry this record any nearer the present than that year. From President Watterson's report the following valuable table has been taken:

ENUMERATION OF YOUTH, WHOLE NUMBER OF PUPILS REGISTERED, AND THE NUMBER OF TEACHERS EMPLOYED IN THE SEVERAL YEARS FROM 1836 TO 1876 INCLUSIVE.

YEARS.	ENUMERA- TION OF YOUTH.	NUMBER REGIST'D.	NUMBER OF TEACHERS	YEARS.	ENUMERA- TION OF YOUTH.	NUMBER REGIST'D.	NUMBER OF TEACHERS
1836	.....	229	3	1857	13121	4923	73
1837	2132	490	8	1858	12984	5110	79
1838	.....	840	8	1859	13370	5025	82
1839	.....	823	10	1860	14309	5110	83
1840	.....	990	10	1861	14625	5081	83
1841	.....	.....	1862	15479	6000	82	.....
1842	.....	.....	1863	16577	6551	86	.....
1843	2578	.....	1864	17325	7473	92	.....
1844	2950	.....	1865	18023	7528	98	.....
1845	3177	.....	1866	18607	8315	115	.....
1846	3455	1500	1867	20775	9643	123	.....
1847	3956	1652	1868	25823	10154	157	.....
1848	4304	1714	20	1869	27524	11151	164
1849	4773	1873	22	1870	32157	12257	188
1850	5042	2081	25	1871	34544	13184	188
1851	6742	2304	32	1872	37876	13647	208
1852	.....	2575	39	1873	40100	15085	235
1853	8426	2845	41	1874	45003	17512	289
1854	12076	3955	44	1875	48561	19705	319
1855	12947	4701	60	1876	47043	20771	326
1856	12998	4734	68	.....	.....	.....	.....

Mr. Watterson also presented an elaborate table, showing the amount and value of property held for school purposes in Cleveland, with date of purchase, etc. Only the totals can be taken therefrom, as follows:

Estimated present value of sites.....	\$572,030
Number of rooms.....	370
Number of seats.....	18,348
Cost of buildings and improvements.....	\$778,080
Value of furniture.....	\$49,383
Cost of heating fixtures.....	\$74,161
Total value of property.....	\$1,473,654

From Mr. Rickoff's report in the same volume I take the following list of the principals of the high schools, to 1876, in their order of service:

CENTRAL HIGH SCHOOL.

Andrew Freese.....	1846 to 1854
Emerson E. White.....	1854 to 1856
William S. Palmer.....	1856 to 1859
Theodore Sterling.....	1859 to 1867
W. A. C. Converse.....	1868

Andrew Freese.....	1868 to 1869
Samuel G. Williams.....	1869 to 1876 *

WEST HIGH SCHOOL.

Alanson G. Hopkinson.....	1853 to 1866
Albert G. Manson.....	1866 to 1867
Alanson G. Hopkinson.....	1867 to 1870
Warren Higley.....	1870 to 1871
Samuel D. Barr.....	1872 to 1876
Zachary P. Taylor.....	1876 *

EAST HIGH SCHOOL.

Elroy M. Avery.....	1872 to 1876 *
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* Incumbents when the report was made.

The advance of the city in a material way, saying nothing of the higher fact suggested, might be traced along the line made by the builder and the architect, in the matter of school buildings. There is a wide space between the little one-roomed cabin on the corner of St. Clair and Bank streets, and the elegant Central High school structure on Willson avenue. The academy on St. Clair street has already been referred to, and it held its own as a place of instruction long after it had become antiquated, and more pretentious buildings were erected for educational uses. Its exact dimensions have not been left on record, but those who were pupils within it agree that it was about forty-five feet long by twenty-five wide. "The lower floor," writes Mr. Freeze, "was divided by a partition wall into two departments, and for a time these rooms sufficed for the two grades of school established, the upper room being rented for church and other purposes. But in a few years more school room was needed, when the senior department was removed to the upper floor." In 1839 a movement was set on foot that resulted in the purchase of two lots, one on Rockwell street and one on Prospect. Contracts for two

buildings were immediately let, at three thousand five hundred dollars each, which included seatings, fences, etc. Both were completed in 1840. They were of the same dimensions and two stories in height. That on Prospect yet stands and is in use by the normal school, while the one on Rockwell gave place to a more modern and larger structure that was completed in 1870. In 1851 the lot for a high school was purchased on Euclid avenue, near Erie, and in 1852 a small structure was put up, to be replaced by the three-story brick in 1856. The latter is sixty by ninety feet in size, and was erected at a cost of twenty thousand dollars. In 1849 the academy was replaced by a new structure, that bore the name of the West St. Clair street school, and is now occupied by the Cleveland fire department as engine house No. 1. Brownell building was erected in 1851; while Mayflower followed in 1854. Hudson street school, now known as Sterling, was opened in the spring of 1859. A small wooden building was at first employed, but as the demands for more room increased a cheap detached building containing two rooms was added. The present building came in course of time, and was completed in 1868—at that time counted one of the finest school structures in Ohio. Eagle street building came into being in 1854, and Alabama in 1856.

The growth of the city and the annexation of East Cleveland caused so great a demand on the old Central High school building that it was decided to erect a new one at some point more central for the territory dependent upon it.

On April 2, 1877, the board of education finally decided on the new building, by completing a contract for its construction. On its completion the occasion was emphasized by a formal dedication, in which a number of the leading educators of the city took part, on December 5, 1878. The following facts in relation to it will be of interest:

The point selected was on the west side of Willson avenue, near Cedar avenue, an open, healthful, central and most desirable location. The general arrangement of the edifice was planned by Andrew J. Rickoff, superintendent of instruction, while the architectural design, selected from those of six competitors, was that of Captain Levi T. Scofield of Cleveland. The extreme length of the building is one hundred and sixty-two feet, and the extreme width, including both wings, one hundred and thirty-eight feet eight inches. The height from the ground to the cornice is seventy-two feet four inches, and to the top of the spire one hundred and sixty-eight feet. The style of architecture is south German gothic of the thirteenth and fourteenth centuries, while the material is principally of the various kinds of sandstone found in Cuyahoga county and vicinity. There are twenty-five rooms in the building, of which fourteen are school rooms, and one of the others is an assembly room, ninety-four feet by fifty-six feet, and about thirty-eight feet high. Great care was paid to the subjects of ventilation and heating, and taken altogether the building may be considered one of the model school houses of the United States.

That much can be truthfully said, and that much has truthfully been said, of the benefits derived from the modes of teaching and process of development followed in the early days of the Cleveland schools, is already a matter of record. Those who were managers, teachers and pupils in those days have placed on record their tributes and related their impressions with a fulness of honor that is a credit alike to themselves and those of whom they speak. As full

credit has not, naturally, been given the work of late years; and it takes no jot of praise from the old, and should awaken no controversy of any sort, to give full honor to those who have worked in recent days, and to call attention to some of the marked results they have produced. The reforms that were inaugurated in the public schools, at the advent of Mr. Rickoff, in 1868, and which in the succeeding eight years were substantially effected, embraced several radical changes. The first undertaking was to so classify the scholars and re-grade the schools—beginning with the lowest primary and continuing through all to the high schools—as to give teachers and pupils the best possible opportunity of doing their work and making it tell—the instructor to prepare and present the subjects taught, and the scholars to comprehend—to enable the one to give and the others to receive more personal attention.

Previous to this time teachers were compelled to prepare many lessons for several classes in different grades every day. The result was that they could not do the work thoroughly, and the pupils received but a smattering at best. The change gave all teachers (or nearly all) scholars of the same degree of advancement, and but three or four, instead of eight or ten, lessons to prepare daily—and the work was thoroughly done. That is, one teacher could give sixty pupils of the same grade much better instruction than she could forty of three or four different grades. This not only laid the foundation for a far higher order of instruction, but greatly reduced the

cost of tuition, by enabling one teacher to instruct a greater number of pupils.

The methods of instruction also underwent radical changes. To attain the best results in making these changes the authorities set apart the first week of each school year for city teachers' institutes. Three or four or more of the most celebrated instructors of the country were employed to meet the Cleveland teachers, discuss with them and present in detail the most enlightened methods of imparting instruction to children. The results of these meetings were admirable. A complete system of object lessons for children was adopted and put into general operation; the "word method" of starting beginners to read, which by teaching them the sounds of the letters and their modifications in the formation of a few words, soon gives them a key to the mystery of all words, was also introduced and has become almost the only method in use and of very great practical value. The impetus given a higher order of work in the school room by these measures gave the Cleveland teachers an enviable standing, and they were sought for in various states of the Union to do normal work among other teachers.

Next followed the development of a plan for more complete and thorough supervision of the work. The large number of principalities into which the city had been divided for years for this purpose was broken up, the principals dispensed with, and the strong man in the office of superintendent was by the agency of four supervisors—two men

and two women — multiplied by four, and his superior intelligence and experience communicated to every part of the system, resulting in better discipline, better instruction, and in every respect much more satisfactory working. The record showed less punishment, a higher per cent. of advancement and a reduction in the per capita expense of maintenance.

In addition to those general changes made during the years mentioned, other important changes and additions were made. The subject of drawing had become a dead letter. A special teacher was employed and a new system of drawing introduced and carried to such perfection that the work of the Cleveland schools in this branch stood among the very first in the Centennial exhibition.

Instruction in music was numbered among the lost arts, or if any was given it was not in accordance with any plan, and the very highest purpose it ever subserved was recreation, and it often resulted in demoralization. The method of teaching music during the Rickoff administration—the same now in vogue—is remarkable in this, that in the lowest primary grades systematic education in the art of reading and writing music begins; and the proficiency attained by the higher classes in reading difficult music has commanded the admiration of the patrons of the schools.

Previous to 1868 little attention had been given to the subjects of ventilating or seating school buildings. Perhaps no school man in the country ever gave more careful and enlightened attention

to these matters than Mr. Rickoff. He hardly ever entered a school-house without studying them with more or less care. No plans for buildings were ever adopted during his administration without material changes for the better in these respects, that were made upon his advice. As a result of what the school authorities of Cleveland did for the cause of education in this branch, the model of the best school-room prepared by them for the Centennial exhibition, after plans of those in use in several of our buildings, took the first rank.

Tributes have already appeared in these pages to the work done in behalf of the schools of Cleveland by George Willey, Charles Bradburn, Harvey Rice, Andrew Freese, Samuel H. Mather and others of our early educators and managers, and a word seems due some of those who have worked in these later years.

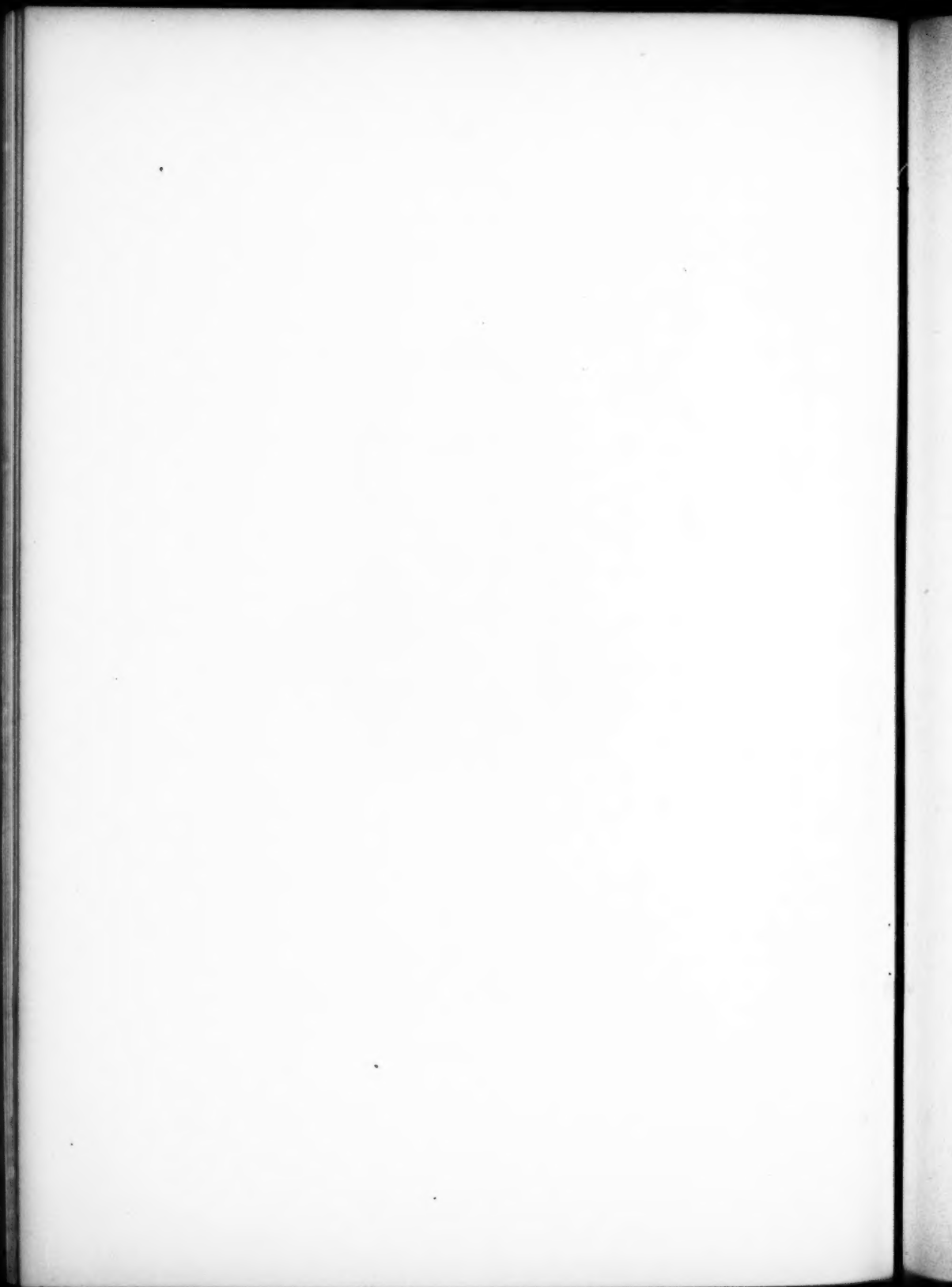
MOSES G. WATTERSON.

Among these a place of honor should be given to Mr. M. G. Watterson, who was for years one of the foremost friends of these public institutions, and the work he performed in their behalf is being shown in the results of every year that passes. For years a member of the board of education, and its secretary and president, his cultured sense and far-seeing judgment were of the greatest use, and were freely given in many ways not demanded by his mere official relation to the schools. He was born in this country, and reared and educated under the best influences of American life. His father and mother were resi-



W. G. Matterson

Engr. by E. C. Williams A. D. C. New York



dents of the Isle of Man, the father being a descendent of the famous Duncan clan of Scotland. They came to this country in 1825, and settled on a farm in Warrensville, where the subject of this sketch was born on January 12, 1835, one of a family of eleven children. He was given the usual course in the common schools of his native town, and at a suitable age was apprenticed to a shoemaker to learn that trade. Not liking it after one year of experiment, he decided, when sixteen years of age, to take a college course. He went to Twinsburgh academy, where he worked for his board, and by economy and close application managed to get through in good shape and to enter the Western Reserve college, at Hudson, in 1856. He paid his own way by hard work during vacation, and graduated in 1860, having the honor of being chosen valedictorian of his class. On leaving college he took charge of an academy in Kinsman, Trumbull county, where he remained one year. He then came to Cleveland and entered the study of law. He soon accepted the principalship of the Mayflower school, where he remained for a year. In 1863 he enlisted and served in the Union army for a short time. In 1864 he removed to Omaha for the purpose of practicing law, but not liking the looks of things in that part of the country, soon returned to Cleveland, which place has since been his home.

In 1866 Mr. Watterson commenced his long and useful connection with the Cleveland schools by an election to the board of education from the Sixth ward.

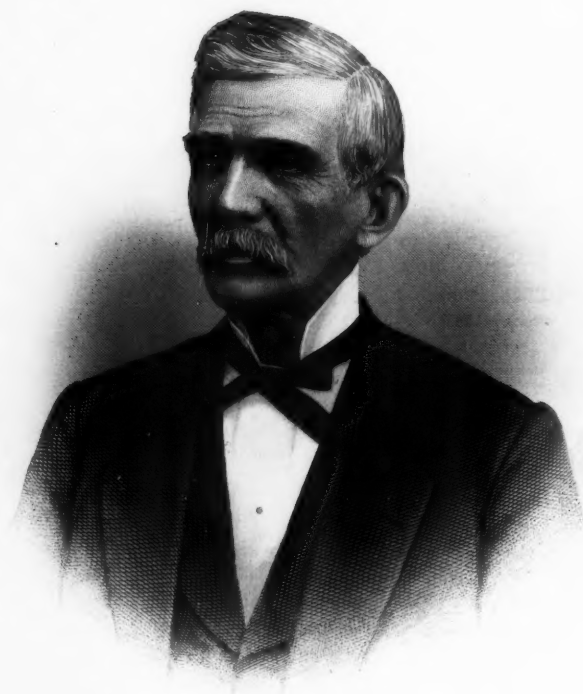
His work was altogether for the city after 1865, as on the election of Herman M. Chapin to the mayoralty in that year, Mr. Watterson was made mayor's clerk and clerk of the board of improvements. He was continued in these responsible positions through Mr. Chapin's second year, and also under Mayors Buhrer, Pelton, Otis, Payne and Rose. In 1867 he was elected treasurer of Cuyahoga county, which office he held two terms, being reelected in 1869. In all these offices Mr. Watterson not only proved himself capable and efficient, but won and held the confidence and esteem of the public at large. His business methods were of the most strict character, and he soon learned as mayor's clerk and clerk of the board of improvements, everything connected with the business of the city, and his value was such that he was retained by each successive mayor, no matter on which political ticket he might be elected—and while Mr. Watterson was always an outspoken Republican, three of the mayors under whom he served were Democrats. Sometime after retiring from the office of treasurer, he was appointed a member of the city tax commission, which position he still holds. The duties of that body are to look over and equalize the various tax levies of the city departments, and see that each gets its proper share and no more—a labor in which Mr. Watterson's long experience in public life comes into full play. On leaving the treasury Mr. Watterson interested himself in several business enterprises, becoming president of the Buckeye Stove

company and a member of the large wholesale tobacco house of J. Schriber & Company, of which he is still a member, and to which he gives a large portion of his time. He is now engaged in building a block for its use on St. Clair street, between Ontario and Wood streets. He was also one of the originators of the Union National bank and is a stockholder therein.

On entering the board of education in 1865 Mr. Watterson was chosen its clerk, which position he filled for six consecutive years. He was then elected president and remained in that office for four years, resigning to take up his duties as county treasurer. He was also a member of the board during these years of special service, as the law as it then stood, allowed the clerk to be a member of the body whose records were under his control.

Mr. Watterson's term of service commenced at a time when Cleveland began to emerge from villagehood, and take on the forms and methods of a city. He had been among the schools and school people enough to see the needs of improvement and reform, and had had enough of personal experience to understand what was wanted. While it is not possible within these limits to tell all that he accomplished, or helped to accomplish, some general outlines may be touched upon. As clerk of the board he was faithful, watchful and exact, and the duties that fell upon him were all properly performed. As president he was fair and capable, and showed no small share of executive ability. As a member he sought to give

to the people all the good that could possibly be had from the money expended on the schools. It was at a time when the question as to the grade and quality the schools should in the future possess, was up for settlement. Mr. Watterson cast all his influence for a broad and liberal advance on anything that had yet been attempted. He was not satisfied that the other departments of the city should outgrow that of education. Working in company with such men as E. R. Perkins and W. H. Price, he was the means of calling Andrew J. Rickoff to the head of the Cleveland schools, and starting them on the upward road to that high success and reputation they afterwards achieved. One of his most deeply-rooted convictions, and the one he the most earnestly sought to put into effect, was to give woman her proper place in educational work, and to see that she received some due proportion of the money that was expended. He combatted the idea that a man must be paid high wages because he was a man, and a woman low wages simply because she was a woman. Unlike the present, the women at that time held no high position in the city schools. The city was divided into districts, with a man at the head of each district, and all under general charge of the board. There was no strong central power as at present, and each of the districts conducted its own affairs very much as it chose, and with little reference to the other schools of the city. The object had in mind by the few gentlemen who set out to bring about a reform was to get the right man



Magazine of Western History

A. H. Rice,

By the Author of "The West"

and place him in charge, and then make him felt with effect through every department and line of the work. Out of this grew the present plan of a superintendent of instruction, with supervising principals.

There were many other ways in which he aided the the cause of education, but suffice it to say that he was one of the moving spirits toward any reform that came up while he was connected with the schools. He has been a helpful and patriotic citizen in ways other than those enumerated above, and his voice and vote are ever given on the side of law, morality and good order. In all his public, business and social relations, he is a gentleman whom it is a pleasure to know, and the honesty and high-minded character he showed while in public station are evinced in all his dealings in private life. While a capable and successful business man, he is educated and cultured, loves his books, and keeps apace with the thought and knowledge of the world. Open-hearted and generous, he is accessible to all; and all in all is a modern American citizen, who does whatever lies in his power for the good of all about him.

WILLIAM H. PRICE.

Another name that should always be given a prominent place in the list of those who have made the schools of Cleveland what they are is that of the late W. H. Price, who gave out of his knowledge, energy and strong business sense a portion of help that was doubly helpful, at a time when the new ideas were compelled to do battle with the

old. His work for the public in the schools was invaluable, and was performed at a time when every suggestion of advance was denounced as a needless innovation, and every improvement characterized as a senseless misuse of money. But he, and a few of the same clear vision, saw the needs of the future rather than the mere demands of the day in which they worked, and laid the foundations broad and deep enough for any structure that might be built thereon.

Mr. Price was counted among the most successful and clearest-headed of the business men of Cleveland, and anything he undertook to do was done with all the energy of a strong character, and all the directness of an open and manly nature. Although not of Ohio birth, he came into this region at so early an age that he was in full accord with all the best forms of Western Reserve life. He was born in Freedom, Cattaraugus county, New York, on January 18, 1818, and when a mere boy came to Ohio. He received his education at the Grand River institute, in Austinburg, Ashtabula county—then one of the leading educational institutions of this section—and on leaving school decided to devote himself to the profession of law. He entered the office of Judge Hitchcock of Painesville and took the usual course of study. He was admitted to the bar, and although he never devoted himself to practice, because of the condition of his health at that time, the knowledge and training he had thus gained were of the greatest value to him in the large business transactions of later life. He turned his attention

to mercantile pursuits, and carried on business for some time in Ashtabula county. In 1856 he came to Cleveland, when the mercantile firm of Stilson, Leek & Price was formed. He remained therein for ten years, and at the conclusion of that time withdrew with a purpose of turning his attention to other and more congenial pursuits. In 1868 he was elected president of the Cleveland Gas Light and Coke company, in which office he remained until his death, which occurred when he was yet in his prime and greatest usefulness—on June 8, 1883—and after an illness that had extended over some months.

Long before his death, Mr. Price stood in the very front rank of the gas manufacturers of America, and the great success that attended the enterprise of which he was the head was largely due to his business genius, industry, and faculty of keeping up with all the demands of a progressive age. He enjoyed the confidence and respect not only of the stockholders but of the public with which his company was compelled to have such constant and intimate relations. He was untiring in his efforts to extend the usefulness and cheapen the cost of gas, and the numerous uses to which it has been put in this city; and the many reductions that have been made in price, testify to the success and value of his efforts. His opinions had great weight with the gas manufacturers of America, and he had a wide influence among them. He was a leading member of the National Gas association, and for some time held the office of pres-

ident thereof. He contributed many able papers to the periodicals published in that line of science, and was a writer of force and grace in the handling of any subject he undertook to discuss. He was interested in a number of the business enterprises of Cleveland, and was everywhere regarded as an earnest, active and influential man. He was foremost in many charitable enterprises, and gave not only of his money but of his thought and time to the alleviation of suffering or the relief of distress. In his early life he was noted for his intense hatred of the institution of slavery, and he wielded no inconsiderable influence in aiding to mold public opinion against that system. He possessed a fund of varied information; his memory was especially retentive; while in character he was of conceded probity, integrity and truthfulness. Unselfish and genial, he won friends in all directions. He was a speaker of force and eloquence, and had a faculty of thinking down into the heart of any subject he had in mind. In his domestic life Mr. Price was at his best, loving home and family with a deep and lasting devotion. He was married in 1843 to Miss Martha C. Guild, the daughter of Colonel Guild of Austinburg, who preceded him into the other world by several years. Two children only were left, Mrs. P. D. Briggs, and Mr. W. A. Price.

Mr. Price was useful not only to the schools of Cleveland, but in many other ways he gave his time and talents to the public use. He was chairman of the executive committee of the Huron Street hospital, and aided that beneficent in-

stitution in many ways; for a number of years he was one of the trustees of the Northern Ohio Hospital for the Insane, acting as president of the board; and at the time of his death he was a member and president of the Cleveland

board of Infirmary trustees. In all these responsible positions his course was marked by the same good business sense, enterprize and honesty that were a part of his private life.

J. H. KENNEDY.

THE STORY OF A TABLE.

My story is not of a billiard table, a dinner table, a parlor table, a table of distances, or anything of that kind. I desire to tell simply the history of a plain yellow-pine table, with folding legs—such as is frequently made use of in camping expeditions and in war. This one has upon its face and legs many a scar and deep hole worn in it, as jolting in an army wagon it traveled over the rough roads of Virginia, now about a quarter of a century ago. It was my camp table all through the four years of the civil war. This fact would scarcely render it a fit subject for a special story, for although it went through a good many warlike scenes and has witnessed a good many incidents which, if it could talk, might prove interesting, its sole claim now in its battered, worn condition, as it hangs upon the wall of my room, surrounded by "the bruised arms" there hung up as "merry monuments," rests, for a special history, upon the fact that on one occasion it was used to perform an important duty which entitles it to an historic place in the record of the closing of the great civil war.

To tell what that duty was, it will be necessary to go back a matter of twenty

years and describe what took place at the little country town of Appomattox Court House, Virginia, on the ninth and tenth of April, 1865.

Early on the morning of the ninth, Lee's sorely pressed army of northern Virginia was in and about the little village, and its commander had decided to make a last desperate effort to break through our cavalry, which had been thrown across the Lynchburg road to the west of Appomattox Court House. A force of cavalry, infantry and artillery had been organized to make the attack and if possible clear the road for the further retreat of Lee's army westward to Lynchburg. The attack was made, our cavalry gave way before it, and the enemy was pushing forward amidst the thunder of guns and the rattle of musketry, when out of the woods, in their front, a long blue line of infantry made its appearance, stretching across the Lynchburg road, and accompanied by several batteries opened fire. This line was composed of Ord's troops, of the Army of the James, and on its right was the fifth corps of the Army of the Potomac, under Griffin.

Up to the time that these troops

opened fire, I had been occupied in hurriedly throwing them into line of battle from the column of march and pushing them forward through a dense piece of woods in the direction of the firing.

It may be as well to state that two days before (the seventh) General Grant had, from the town of Farmville, written a note to General Lee, summoning him to surrender his army; and during the next thirty-six hours, a correspondence on the subject had been going on between the two generals.

The next morning (the eighth) at six o'clock, two divisions of my corps (the twenty-fourth), and two brigades of the twenty-fifth corps, all under my command, had been put in motion up the Appomattox river. A few miles from Farmville these troops united with the fifth corps and all were pushed rapidly westward after Sheridan's cavalry, a portion of which was overtaken during the morning.

To facilitate the march, the road itself was left open for the artillery and ambulances, and the infantry marched in the fields alongside when they could—the fifth corps on the left of the road, the twenty-fourth on the right. The day was hot, the roads dry and dusty, and the troops suffered considerably; but they pushed along as rapidly as possible, and late in the afternoon began to show unmistakable signs of fatigue.

Whilst riding some distance ahead of my troops a courier met me and placed in my hands a dispatch, which, on opening, I found to read as follows:

CAVALRY HEADQUARTERS,
APPOMATTOX STATION, April 8th, '65. }

To

GENERAL: We have captured four trains of cars with locomotives; the trains were loaded with supplies. One of the trains was burned. Thirty pieces of artillery and a large number of wagons and prisoners. If it is possible to push on your troops, we may have handsome results in the morning.

P. S.—We captured one thousand prisoners, including one general officer and from one hundred and fifty to two hundred wagons.

The original, now before me is written in the handwriting of "Loney" Forsythe, then on General Sheridan's staff, and on the back in the well-known handwriting of my chief-of-staff is:

General Gibbon sends this dispatch received from General Sheridan, for your information.

J. H. POTTER.

It may readily be imagined how intense was now the desire to see the head of the column approach the spot where, seated on some old railroad ties—the common road ran close to the rail—I awaited its arrival. For if the cavalry had struck the front of Lee's army, they would need all the support we could give them to hold on and prevent Lee from forcing his way through towards Lynchburg.

Scarcely had General Sheridan's dispatch been sent back to the command, when a staff officer reached me from General Ord, with a message to the effect that my men were very much scattered, had marched far enough, and he had directed them to go into camp for the night. In hot haste I dispatched a message to General Ord, telling him the news from the front and begging him to allow such of the men as could march to come on, and let the stragglers close

up afterwards. The messenger reached him just as the troops were filing out of the road to go into bivouac. Ord was a soldier who never lacked promptitude in coming to a decision in a crisis. He at once countermanded his order, put the troops in motion again and with his staff rode on to where I was awaiting him.

The sun went down, darkness came on and it was some time after when our poor, weary men came slowly plodding along the road. But as they approached, the whistle of a locomotive was heard and the whole column burst out into a rousing cheer as Sheridan's captured trains came thundering to the rear, in charge of cavalry sergeants acting as engineers. The trains were loaded with bread and bacon, and our tired, hungry men, after supplying themselves with a meal from these, dropped to sleep alongside the road, to be again in motion at three o'clock, pushing westward for those "handsome results" promised by Sheridan.

We soon reached Sheridan's headquarters, and after a hasty consultation with him it was decided to push forward the infantry and establish it across the Lynchburg road. This was done, and it was this line which now emerged from the woods and confronted the attacking force of the enemy.

Our troops opened fire, and then suddenly all firing ceased. Riding rapidly to the front, I reached the open ground beyond to find our troops in line and no enemy in sight. The picket line was moving to the front, but without firing a shot, for nothing was in sight to shoot

at. Riding still further forward I could see on the right of my line masses of troops formed on the hill-side, and these were cheering loudly. Down in the valley, and riding towards Appomattox, the houses of which were now in view, I caught sight of a party of horsemen, and galloping towards them, joined General Ord and his staff. General Ord informed me that white flags had appeared along the enemy's line, and it was reported that Lee had surrendered.

At General Ord's suggestion I gave orders for my troops to halt and take up position with pickets in front. We then rode into the village and entered an open square, on one side of which was the court house, and on the adjacent side a rather pretentious-looking house with a wide, high porch and a flight of broad steps leading up to it.

As I glanced at the house my attention was attracted by the sight of the boyish form of General Custer, coming down the steps carrying a small table on his shoulder, his long, yellow hair floating about his head. Some one said Sheridan gave the owner of the house (McLean) twenty dollars in gold for that table* and presented it to Custer as a memento of the surrender.

The square was filled with officers of all grades on both sides, and old friends met there who had not met each other for four years, except in battle. We were told that Generals Grant and Lee were engaged in the McLean house negotiating for the surrender of the Army of

*For a description of this table by General Custer's widow see a recent number of *Harper's Weekly*.

Northern Virginia. It turned out afterwards that these negotiations did not take as long a time as we, who were waiting, thought they did. To those of us on the outside, the time dragged heavily along and seemed longer than it was from the uncertainty all felt in regard to what might be the possible termination of the talk between the two commanders, for few knew much of the correspondence which had already taken place. There were two great armies standing face to face, as they had stood on many a field before, their men with muskets in hand, their guns unlimbered and their picket lines confronting each other, whilst in the space between these lines, officers from both mingled and talked and waited for the decision of the great chiefs seated within that house, towards which every eye was now and then anxiously turned.

What would Grant demand? What would Lee grant? were questions I have no doubt which occupied every mind. Was the war over? or were we again to commence the work of slaughter? In the meantime, whilst we waited, suppose either from accident or design, a single musket should be fired, and set this whole line of battle aflame!

The time seemed interminable, but at length some one in authority came out of the house and announced: "General Lee has surrendered." Quickly staff officers and couriers were riding to all points of the army to carry the news. Everybody looked relieved, but no boisterous demonstrations were seen anywhere. Deep down in many a heart there was a feeling of quiet joy which, if

expressed, would have run: "Thank God the country is saved."

A few moments after the announcement was made, every one was startled by hearing, away off on the extreme left of our army, a sharp rattle of musketry. It soon died away, and a staff officer dispatched in hot haste to ascertain the cause, brought back the information that a brigade of colored troops, on hearing of the surrender, had suddenly thrown up their loaded muskets and pulled the triggers! It was the last volley over the grave of slavery and a salute to liberty from muskets in the hands of freedmen.

Gradually the groups separated. The troops went into camp or bivouac, and soon fires were started in all the country around the Court House, preparing food for craving stomachs.

Everything had now settled down into comparative quiet, when everybody was again startled by the sound of a gun away off to the south of Appomattox, where Meade was with the main body of the Army of the Potomac. Another and another gun followed at regular intervals, and all breathed more freely when the fact became apparent that a battery in the Army of the Potomac was firing a salute over the surrender of Lee's army.

General Grant's headquarters tents were pitched a short distance from my own, and that afternoon, whilst paying him a visit, he surprised me by saying that he intended to have me in command to receive the surrender of Lee's army with my own corps and the fifth. Later in the day the following orders were placed in my hands:

HEADQUARTERS
ARMIES OF THE UNITED STATES.
IN THE FIELD, April 9, 1865. }

Special Orders.

Major-General John Gibbon, Brevet-Major-General Charles Griffin and Brevet-Major-General Wesley Merritt are hereby designated to carry into effect the stipulations this day entered into between General R. E. Lee, commander Confederate States armies, and Lieutenant-General Grant, commander armies of the United States, in which General Lee surrenders to General Grant the Army of Northern Virginia.

Brevet-Brigadier-General George H. Sharp, assistant provost-marshal-general, will receive and take charge of the rolls called for by the above mentioned stipulations.

By command of

LIEUTENANT-GENERAL GRANT,
E. S. PARKER, Lieutenant-Colonel
and A. A. G.

HEADQUARTERS
ARMIES OF THE CONFEDERATE STATES.
April 9, 1865. }

Special Orders.

No—Lieutenant-General J. Longstreet, Major-General J. B. Gordon and Brigadier-General W. A. Pendleton are hereby designated to carry into effect the stipulations this day entered into between Lieutenant-General Grant, commanding Armies of the United States, and General R. E. Lee, commanding Armies of the Confederate States, in which General Lee surrenders to General Grant the Army of Northern Virginia.

By command of

GENERAL R. E. LEE,
W. H. TALYOR, Lieutenant-Colonel
and A. A. Genl.

The next morning, after an interview with General Lee in the edge of the town, General Grant left the scene of his triumph for Petersburg. During the morning the three officers appointed by General Grant, to carry out the stipulations of the surrender, rode into Lee's army through his picket line, to seek an interview with those appointed by General Lee. This visit is described in a private letter written the next day, as follows:

All the forms of hostile armies are still kept up between us, and yet no general communication between the forces has been permitted. As we rode along through the mud and rain the men flocked to the sides of the road to see us, as our men do on similar occasions. They were very quiet, made no demonstrations of any kind, and gave me the impression that, like ourselves, they were glad it was over. They did not look, however, at all like people who were conquered and that rather pleased me than otherwise. We found General Longstreet absent, but the other two—Major-General Gordon and Brigadier-General Pendleton—were sent for. The latter arrived first. He is General Lee's chief of artillery, and looks very much like him and must be nearly as old. He is a graduate of the Academy (in 1830 I think). General Gordon I had met the day before. He is a man about my height and make, with a very pleasant face and remarkably polished manners. He is a native of Georgia, but at present a citizen of Alabama. He has been frequently wounded, and bears on his left cheek the deep scar of a wound received at Antietam. We have all taken a great fancy to him. We arranged to meet immediately in a house in the town and go to work, and then rode back towards our lines attended by Wilcox, General Lee (Rooney or W. H. F. Lee) and several staff officers and soon overtook Generals Heath and Pickett riding into our lines with Ingalls and Seth Williams. We met Generals Lee and Longstreet on the road, and the latter turned back with us.

The six officers met in a room of the hotel of the town; but this was a bare and cheerless place and at my suggestion we adjourned to the room in the McLean house, where Generals Grant and Lee had held their conference. There we at once organized and began to discuss the subject before us. After talking for a while it was suggested that I write out the several propositions covering the surrender. This I did in very much the same shape as that finally adopted. When I came to the fifth clause I paused, for there was an important question involved: Who should be included in the surrender? It was known that a par-

of the cavalry had made its escape towards Lynchburg, just about the time the surrender took place.

The matter was discussed for a few minutes when General Gordon rose to his feet and made quite a speech, during which he said that, as they had been treated with so much liberality he felt disposed, so far as he was concerned, to act liberally also, and that he considered his personal honor required him to give the most liberal interpretation to every question which came up for decision.

Longstreet sat still and said nothing; but when Gordon sat down, Longstreet remarked very quietly that he proposed the surrender of all troops belonging to the army, except such cavalry as actually made its escape and any artillery that was beyond twenty miles from Appomattox Court House at the time of the surrender. This proposition was at once accepted by unanimous consent and the terms as agreed to were duly drawn up and signed that night as follows:

APPOMATTOX COURT HOUSE, April 10th, 1865.

Agreement entered into this day in regard to the surrender of the Army of Northern Virginia to the United States authorities:

- 1st. The troops shall march by Brigades and detachments to a Designated point, stack their arms, deposit their flagstuffs, pistols, &c., and from thence march to their homes, under charge of their officers, superintended by their respective Division and Corps Commanders, officers retaining their side arms and the authorized number of private horses.
- 2nd. All public horses and public property, of all kinds to be turned over to the Staff Officers designated by the United States authorities.
- 3d. Such transportation as may be agreed upon, as necessary for the transportation of the private baggage of officers, will be allowed to accompany the officers, to be turned over at the end of the transportation to the United States authorities, except such taken for their accommodation.
- 4th. Commanders and mounted men of the Artillery and Cavalry, whose horses are their own private property, will be allowed to retain them.
- 5th. The surrender of the Army of Northern Virginia shall be construed to include all the forces operating with that Army on the 8th instant, the date of the commencement of negotiations for surrender, except such bodies of Cavalry as actually made their escape previous to the surrender, and except also, such pieces of artillery as were more than Twenty (20) miles from Appomattox Court House, at the time of the surrender on the 9th instant.

John Gordon
Maj. Gen. Vols
Chas. Griffin
B. H. Hays and U.S. Col.
V. M. W. H.
B. M. Hays

J. Longstreet
Lt. Gen.
J. B. Gordon
Maj. Gen.
W. N. Ponder
Maj. Gen. 84th Regt.

Doubtless many an impatient reader will exclaim: "But what has this to do with the history of a table?"

Patience, patience, and I will tell you.

The surrender of Lee's army did not take place in a day, and you can scarcely expect to learn all about it in a single page. Were I to attempt to write the "history of a man," you would not be content to learn the date of his birth. You would want to know something of what kind of a baby he was, where he was born, what his surroundings were, and what were the foundations of his renown, which rendered it necessary to write a history of him. I have not been able to tell you much about the early history of my table, nor the day when it first came into this world as a table. But I suppose it was made, probably, by some hard working carpenter in some obscure shop of an unnamed quartermaster, somewhere in the fall of 1861. Thousands of other tables just like it have probably long ago been broken up and used perhaps as fire-wood.

It is not customary to baptize tables, I believe, but on the afternoon of April 10, 1865, it occurred to me that I would like to retain some memento of Appomattox Court House. Mindful, therefore, of what I had seen Custer carrying off—and twenty dollar gold pieces not being very plentiful with me just at that time—I directed that my old battered army table should be set up in the room and an old army blanket thrown over it as a cover.

In the evening when the commissioners assembled to sign the document, already agreed upon, three copies of the

agreement were placed upon the table, each officer signing them there, and a glance at a watch showed it was 8:30 P. M. by Appomattox Court House time, or at all events by the time we brought there.

The table now became entitled to a capital "T," was turned over to a clerk at my corps headquarters with directions to carefully sand-paper off the top and place on it an inscription commemorating the event. This was very skillfully done and the Table henceforth ceased to perform the ordinary duties of a camp table.

Years went by and the Appomattox Table wandered about with me a good deal in the great west till we finally reach Fort Shaw, Montana, when one day I was gratified at the receipt of the following note:

NEW YORK, July 25, 1877.

DEAR SIR:—Although perhaps personally unknown to you (by name at least), you will remember me as the person who had the honor of painting an inscription on the table which was used at Appomattox for signing the treaty of surrender.

I write now to ask that you will let me have a photograph of that really valuable relic—(I presume you have had it photographed). I should of course take a great deal of pride in exhibiting the picture, particularly if it shows my handiwork.

I am, general, your obedient servant,

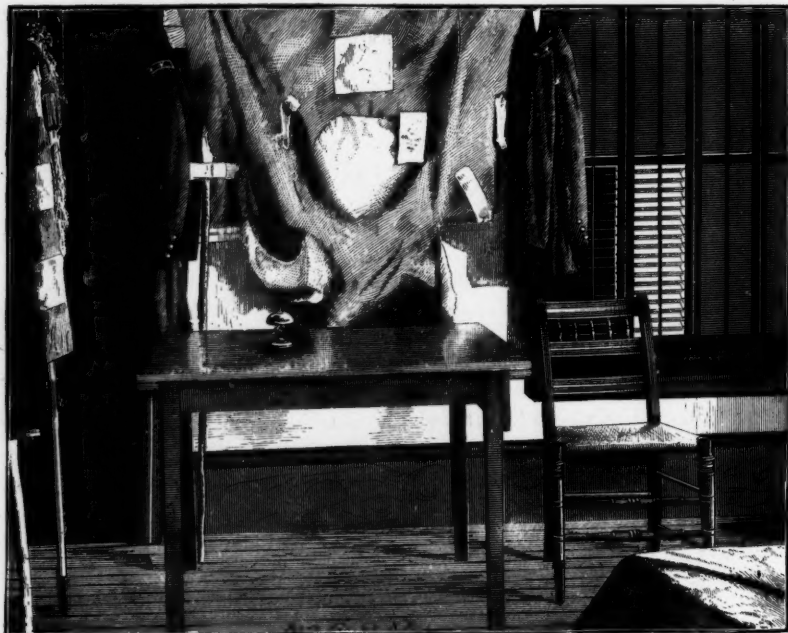
WM. LINDSAY.

With every desire to comply with his request, it was several years before I was able to make even the attempt, and then it turned out a complete failure. A dark space with here and there a faint mark of a line in one of the letters was the result, and the photographer informed me that the photographic art could not be induced to make a distinc-

tion between the *yellow* pine of the Table and the *black* ink of the letters, and consequently that the inscription could not be photographed.

be destroyed and all substantial record of it be lost.

The matter was very frequently thought of, and talked over with others,



ON THIS TABLE

was signed the Final Agreement for the surrender of the "Army of Northern Virginia" at Appomattox C.H. Va., 8.30 P.M. April 10th 1865 by LT. GEN. J. LONGSTREET, MAJ. GEN. J. B. GORDON AND BRIG. GEN. W. N. PENDLETON, C.S.A., AND MAJ. GEN. JOHN GIBBON, BVT. MAJ. GEN. L. CHARLES GRIFFIN AND BREV. MAJ. GEN. W. MERRITT, U.S. ARMY.

This refusal of light to make a copy of my Table served only to increase my desire to have the copy made for fear, lest by some accident, the Table should

and at last the suggestion was made that the photograph might be compelled to do its work by simply stretching over the Table a piece of white tracing linen

and have a skillful penman copy on that the inscription beneath. The Table was set upon its legs, for the first time in a good many years, the tracing linen was tightly and smoothly stretched over the top and tacked down at the sides and a penman carefully copied the inscription beneath. The legs were now folded up and the Table, with its white cover, was placed in position before the photographic instrument, and in due course of time the operator presented me with what you see above.

I find that the value of a relic increases very much with age, and so it has been with my Table. From a mere personal relic of the Appomattox surrender, it has, after the lapse of twenty years and more, assumed something of an historic interest and is therefore entitled to a "history," for, barring accidents, it will last long after the owners of the names upon it have passed away. Already two have gone, Griffin and Pendleton. One has been a foreign minister of the United States, another a United States senator, and the remaining two are still in the army.

Less important things than my Table, I find, are sometimes regarded as relics. During the past summer (1885) I was in the city of Seattle, on the sound, in Washington Territory, when a card, one day, was brought to my room with a pencil memorandum on it, to say that the owner had been an orderly at my headquarters, twenty-fourth corps, and would like to see me if at leisure. Cap-

tain A. O. Benjamine, of the steamer *Rustler*, plying on the sound, was introduced.

I am fond of talking to old soldiers and of listening to their personal reminiscences of the war; there is a pathos about it, a curious glistening of the eye, with just a suspicion of moisture, which is very attractive. This one, being seated, soon commenced, and recalled many incidents at Appomattox Court House, and then suddenly burst out with: "Why, general, I was the orderly who put up your table in the room for the officers to sign the surrender on." Here was a reminiscence worth having! A man on the western border of the continent recounting to me incidents in which we were both personal participants more than twenty years before, thousands of miles away in the east! Captain Benjamine went on to say that he had also taken it down again and carried it to the clerk for the inscription to be put on, and had packed it up when we were preparing to leave for Richmond. When it was unpacked there, he said that an old piece of canvas, which had been wrapped around the Table to protect it against rubbing, had been thrown aside and that he had picked it up and put it in his knapsack, determined to preserve a relic of the surrender; and with that peculiar glistening of the eye, he said: "*General, I have got that old piece of canvas at home yet!*"

JOHN GIBBON.

SKETCHES OF WESTERN CONGRESSMEN.

I.

WILLIAM A. HOWARD, OF MICHIGAN.

WILLIAM A. HOWARD, who departed from this life in the early days of 1880, was one of the ablest and most useful of all public men who have been honored by Michigan and gave honor to their state in return. He was thrown into public life at a time when only the bravest and truest could safely be put on guard; at a time when the fierce lightnings of civil war were playing all about the national sky, and the mutterings of that thunder which in a few years broke over Sumter, were already heard. The compromise measures upon which Mr. Clay and such as he had staked so much, and that were to be the solid rock for all time, had proved themselves but the quicksands of an uncertain policy, and were slipping away beneath the nation's feet. The fugitive slave law that President Pierce was so earnest to enforce, was bringing to a point of bitterness, heretofore unfelt, the opposition to slavery in the north; while the outrages in Kansas were filling the world with some vague understanding, at least of what the south purposed, and slavery really meant. It was a time of gloom and fear; when the brave were girding themselves to meet all that was to come, and the weak were suggesting new evasions and new

methods of postponement or escape. It was a time when states like Michigan, peopled by free and fearless men who believed that a flag meant more than a piece of bunting, and the Union more than a temporary compact of independent states, were waking up to the need there was for a new fiber of courage and faith at the national capital. It was in this view of the situation that the choice of William A. Howard as one of the representatives of Michigan in the national congress, meant more than the elevation of one man over the shoulders of others. There was work to do, and how well it was done these pages will endeavor to briefly tell.

Mr. Howard was descended from a New England family that bequeathed to him those strong and sturdy qualities of resolution and self-direction by which he was able to accomplish so much in life, and through which he was of service to his country in more than one critical hour. His father, Daniel Howard, was a native of Bridgewater, Plymouth county, Massachusetts, but afterwards became a resident of Vermont. The son, William Alanson Howard, was born in Hinesburgh, Chittenden county, of the last named state, on



Eng. by Geo. E. Parsons, N. York.

Wm. A. Howard



April 8, 1813. His early days were full of toil and touched by the privations incident to a country not long settled, where it was the lot of the great majority to be poor, and toil was the common part of all. As a youth he was by no means strong, and not able to bear the burdens and strain of the heavy out-door work of the farm. Understanding this he turned his attention toward some occupation that would be less laborious and better suited to his strength. When but fourteen years of age he set out to meet the world on his own responsibility, traveling by the slow methods of the day from Hinesburgh, Vermont, to Albion, New York, where he gave himself to the learning of the cabinetmaker's trade. He remained there four years, mastering the business thoroughly, but not gaining the strength and robustness he had desired. But the time had been of profit to him, as it had developed in his soul a thirst for knowledge, and led him to believe that he had powers far beyond the demands of the occupation to which, by circumstances, he had been pledged. When nineteen years of age he began attendance at an academy in Wyoming, in his strongly-formed resolution to acquire an education. He remained there for three years, and in 1835 went to Middlebury college, Vermont, from which he graduated in 1839. Every dollar paid for his education came through his own exertions, put forth amid discouragements that would have daunted one cast in a less heroic mold. Ill health attended him a great portion of the time, and there were months in

which he was unable to sit up for a whole day at a time. But he studied and kept up with his classes; he labored as he could, and paid his way. It was a long and difficult service of seven years that he gave, like Jacob of old, for the thing dearest to his heart, but he won in the end and faced the world with an educational equipment that fitted him for even that high career that lay before him in the unknown future.

During the winter following his graduation Mr. Howard taught school in Genesee county, New York, and in the spring was strongly advised to try the climate of Michigan for the benefit of his health. He turned his face westward, and on April 12, 1840, reached Detroit. The extent of his entire material possessions on first setting foot in the state in which he was to achieve such success and by which he was to be so highly honored, was just seventy-two dollars that he had saved from his winter of school teaching. It was never a part of his nature to be idle, and we soon find him employed as a tutor of mathematics in a branch of the Michigan State university, at the same time giving such time as he could to the reading of law in the office of Witherell & Buel. He was admitted to the bar in 1842, and from that time forward until 1854 was engaged in the active practice of his profession. He became a partner of one of his preceptors, Alexander W. Buel, under the firm name of Buel & Howard. He was also a member of the firm of Howard & Toms; Howard, Bishop & Holbrook, and Jerome, Howard & Swift.

The qualities that, as will be discovered in a later portion of this sketch, made Mr. Howard successful in public life, won for him an early recognition and a steady advancement in the law. He soon became one of the leading members of the bar, not only of Wayne county, but of the state, and was called upon to fill a number of important local positions, such as prosecuting attorney, and state senator. In all these positions he showed a devoted interest in the public good, and was faithful in the discharge of every trust. He was an active participant even then in matters of politics, and from the time he was able to voice his sentiments in his vote, he gave an adherence to those principles of freedom and right for which he was able to do such yeoman service in later years. Prior to the organization of the Republican party he was an ardent Whig—a Freesoil Whig. His first nomination to congress, as will be shown below, was received from the Whigs, while he was endorsed by the Free-soilers and anti-Nebraska Democrats, but before he entered congress all those parties had been merged into the Republican, and it was as a Republican that he took his seat.

His real public life opened in 1854. In that year he was nominated to congress in a Whig convention held at Ann Arbor on September 20, and on the same day he also received the nomination of the fusion anti-Nebraska mass convention at Detroit. Mr. Howard's competitor in this contest was David Stuart, a Democrat of Detroit. The latter was one of the best stump speak-

ers in Michigan, and very popular. But Mr. Howard did not hesitate to meet him in joint debate, and going into the fight with great earnestness, not only won the election by a vote of 9,877 votes to 8,723 for his opponent, but gained for himself as well a reputation for campaign oratory that was excelled by that of no man in the west—a reputation that he sustained until the last.

It was a grand theatre of action on which Mr. Howard entered at the opening of his congressional career, in the early winter of 1855. The conflict that lay with all the horrors of civil war almost over the horizon of the morrow, was even then making itself felt, and a fever of unrest ran through our national life. Taylor had gone from the Presidential chair into the grave, haunted and harassed because of the mighty turmoil of slavery; Fillmore had passed into obscurity because he tried to stay himself and party on the shifting sands of compromise; while Pierce, a northern man by birth but a southern man in heart, was doing all that he could for the institution of "involuntary servitude," and defending himself from behind the constitution. It was a time of danger, and of grave responsibility. Secession was openly threatened, while many true-hearted and patriotic men were ready to make almost any concession, rather than to invite a conflict that might rend the Union into chaotic fragments. It was during his first term that there arose that memorable contest over the speakership that finally ended in the election of Hon. N. P. Banks to that position. But the end was not

reached until February 2, 1856; and during the long and bitter conflict Mr. Howard carried himself in such manner that he won the confidence and respect of his colleagues. He always presented an unflinching front to the storm that was beating about him. "Let there be no compromise and no surrender," would be his watchword. "If we are beaten by numbers let us be beaten and gracefully submit. But let us never surrender to an opposition who declare they never will submit to us." His courage and eloquence aided to strengthen more than one of the timid who were alarmed at the threats made in view of Mr. Banks' success. And while he was thus winning the confidence of his Republican colleagues he also won the admiration of his political opponents. They saw that he was one in whom opinions abided, and who had the courage to express them. In reply to the many attempts to drive the Republicans from their position, his response was, "we stand here; we will abate no jot of our principle; we will appeal to the country, and if need be we will continue voting until the fourth of March, 1857." And again: "We have met our Democratic brethren in good faith; we have done our best to effect an organization; we have steadily voted against adjournment; we have made no motions with a view to consume time; we have steadily pursued our business. We shall go on without compromise until we are defeated or succeed."

When the house was finally organized, Mr. Howard was made the second mem-

ber of the committee on ways and means, the most important committee in the lower house of congress. He was also a member of the same committee during his second term. His course during his first term of service was so satisfactory to his people, that he was returned in 1856, receiving 13,658 votes to 12,791 given for G. V. N. Lothrop, the Democratic candidate. In 1858 he was once more nominated, and legally elected; but when the certificate of election was given to George B. Cooper, his opponent, Mr. Howard contested the election and was given his seat, entering congress for the third time on May 15, 1860, for the term ending March 4, 1861.

When Mr. Howard first took his seat in the house, the long agitation of the slavery question was culminating in the Kansas-Nebraska trouble, that so long shook the nation and had so much to do with hastening the war. It was a time when the patriotic leaders of the north began to understand the extent of the trouble before them, and to learn that the south meant more than mere words in the threats to which she gave utterance. Great crimes had been committed in the territory of Kansas. In the attempt to rivet slavery upon that fair portion of our country, men had been robbed of property, of liberty and of life. The stories that ran through the land, as to what had been done in that then far-distant section, were contradictory and colored after the political belief held by those by whom they were told. Congress came soon to understand that its first duty lay in an inves-

tigation of the facts before an attempt was made to apply the remedy. On the nineteenth of March, 1856, a resolution being before the house to empower the committee on elections to send for persons and papers in the Kansas contested election case, on which the whole question hinged, Mr. Dunn of Indiana moved an amendment, which was adopted, providing for a committee of three members of the house to proceed to Kansas and make a thorough investigation of all matters connected therewith, and report all evidence collected to the house. On March 24 the speaker appointed the following gentlemen to that important trust: Lewis D. Campbell of Ohio, William A. Howard of Michigan, and Mordecai Oliver of Missouri. Mr. Campbell afterwards declined and John Sherman of Ohio was appointed in his stead. The appointment of Mr. Howard, a new member, on this important committee, shows the esteem and confidence in which he was already held, in a body of which he had been a member for only a few months. In reference to the constitution of the committee, the *New York Tribune*, of March 26, said, from the pen of Mr. Greeley himself:

William A. Howard of Michigan, who henceforth stands at the head of the Kansas committee, is new to congress and to political life, but has won a high reputation as a lawyer and a man. He is a native of Vermont, who graduated at Middlebury college, migrated to Michigan and became a professor of mathematics in her university, which post he held with distinction until he resigned to engage in the practice of the law, which he has since pursued at Detroit with signal success. Associated with Governor Seward in the defense of the citizens of Jackson county, indicted on a charge of malicious in-

jury to the Central railroad, he exhibited, in that memorable three months' trial, the very highest quality as an examiner of witnesses and an analyzer of testimony—qualities which were never more important than in the investigation over which he is now to preside. Coming fresh into congress last December, with very few acquaintances—for he had hitherto shunned public life and has now no political tastes or aspirations—he steadily won upon the confidence and esteem of his fellow members, and his selection as second on the committee on ways and means was but a fair recognition of his standing with the Republicans of the house. Mr. Howard is something less than fifty years of age, tall and slender in person, with a Yankee inflection in his voice, which can hardly be acceptable to the fastidious taste—linguistic of the Border Ruffians.

"The speaker did a handsome thing," said one of the leading newspapers of Michigan, "when he placed the Hon. William A. Howard upon the committee to proceed to Kansas to unravel the weaved-up tissue of fraud, upon which Whitfield claims a seat in the house of representatives. Mr. Howard is a sound lawyer, perfectly familiar with the rules of evidence, and the formulæ of taking testimony. He is, moreover, a man of sound judgment, inflexible moral courage, and the quickest perception. He will devote himself patiently and calmly to the elucidation of the facts, and when they have been cleared up they will be reported to congress ungarbled and unextenuated. It is a proud distinction for a new man in congress to be placed in a position where so much is required of him, but they who know the man have no fears that he will acquit himself to his own honor and the credit of the cause."

The service upon which these gentlemen had entered was not only one of grave responsibility, but of extreme

bodily danger. The outlaws and Border Ruffians, who held sway in western Missouri and Kansas, were desperate and unscrupulous men, to whom murder had become commonplace, and who would not have for a moment hesitated to put Messrs. Howard and Sherman, the Republican members of the committee, out of the way, if by so doing they could have aided themselves or their cause. To show the hazard in which they might be placed, the quotation of the resolution adopted by the house in provision for their protection, is pertinent:

Resolved, That the President of the United States be and is hereby requested to furnish to said committee, should they be met with any serious opposition by bodies of lawless men, in the discharge of their duties aforesaid, such aid from any such military force as may at the time be convenient to them as may be necessary to remove such opposition and enable said committee, without molestation, to proceed with their labor.

The committee proceeded to the seat of trouble and began their investigations amid many difficulties and great danger. Those who know the character of William A. Howard and John Sherman need not be told that they probed the national wound with a steady hand, and that the dangers about them did not deter them from going to the very bottom for facts. The story of their experience in Kansas would make a chapter of absorbing interest, but space is not possible here. There was not only danger all the time, but intense anxiety at all times. One of their chief fears was that the evidence they had so laboriously obtained might be stolen and destroyed. The Border Ruffians continually surrounded the sit-

tings of the commission, and night after night debated the plan by which they proposed to gain possession of the obnoxious documents. They all agreed that it would never do to let this testimony go out of the territory, but how to get it without killing Messrs. Howard and Sherman, or whether it was necessary or politic to take their lives, was a subject of constant consideration. The plan generally approved was to watch for an opportunity when the committee should be traveling, and, at an unguarded moment seize their baggage, ransack it and carry off the testimony in the tumult. The committee took every possible precaution against the danger of loss. A part of the papers were secretly carried to the east by the wife of Governor Robinson and taken out of the reach of danger. "The remainder," says a newspaper account of the day, "was put in charge of an honest old farmer living several miles distant from town, who buried it during the night time in a box of leached ashes, which he covered with straw and a hen's nest. The box was left standing in the yard back of his house. The farmer vindicated his own confidence in the security of his hiding place by depositing in the same box with the testimony some two thousand dollars in gold, of which he feared he might be robbed by the Border Ruffians who were prowling about the country. The manuscript and gold lay thus concealed some three or four weeks—nobody knowing its whereabouts except the farmer and his wife and Messrs. Howard and Sherman. As early as possible, a complete duplicate of the testimony was

prepared, and secretly deposited in the fort, in charge of Colonel Sumner.

On their return from Kansas, the committee offered two reports. The majority report, from the Republican members, Messrs. Howard and Sherman, was presented to the house on July 2, 1856; and that of the minority, from Mr. Oliver, the Democratic member on July 11. The evidence that had been taken was very voluminous, and the majority report covered over twelve hundred pages, a document regarded then and ever since as one of the ablest, and most important ever published by order of congress. The exposure of the frauds and wrongs committed in Kansas in the name and for the aid of slavery, was so thorough and so convincing, and was laid before the country with such candor, that the influence upon the country was electrical, extending with great power into the Presidential election of 1860, when the party that supported slavery was driven from power, and the first Presidential triumph of the Republican party secured. The extent to which the committee drove home the truth, and the plainness with which the report expressed itself, may be learned from the perusal of only one paragraph which said: "Every election has been controlled, not by actual settlers, but by citizens of Missouri, and as a consequence every officer in the territory, from constable to legislator, except those appointed by the President, owes his position to non-resident voters. None have been elected by the settlers, and your committee have been unable to find

that any political power whatever has been exercised by the people."

Mr. Howard's course, as viewed even in the light of all that has befallen between those days and the present, was that of a patriot and a just man. "He took high rank in congress," recently wrote Judge T. M. Cooley of Michigan, in reference to the subject of this sketch, "and had a place on most important committees. One of them was the special committee created for the investigation of the inroads into Kansas by armed bands from the border states. The country was then excited beyond all former precedent by what seemed to be the approaching culmination of the struggle over slavery, and already from state to state leaped the live thunder of the coming tempest. The committee in an elaborate report put plainly before the people a mass of startling facts, constituting one of the most important historical documents of the period. Mr. Howard was also one of the committee of thirty-three appointed to consider and report upon the subject of further national compromises, but his principles forbade him to take even the shortest step backward, and he performed effective service in defeating the purpose for which the committee was created. Men doubted at the time whether this was best, but few doubt now."

One of the longest addresses delivered by Mr. Howard was that in which he denounced the Kansas Lecompton constitution, on the twenty-third of March, 1858. "It is" he said "a creature of usurpation, the child of an

illegal despotism, as destitute of all rightful authority in its origin as it is of popular favor in its maturity. Illegitimate in its origin, it is now, in its development, by at least four-fifths of those who were expected to father it, loathed and feared, shunned and scorned."

On January 19, 1861, President Buchanan sent a special message to congress announcing the seizure of several forts and arsenals, explaining the removal of Major Anderson from Fort Moultrie to Fort Sumter, and begging congress to give its best thought to averting threatened evils by a "peaceful solution." With a directness that sent its shaft home to the place intended, Mr. Howard, on the delivery of this message, immediately introduced a resolution that it be referred to a committee of five with instructions to "report whether any federal officer was in communication with any person or persons concerning the surrender of any forts or other public property of the government. Whether any such officer had ever given any pledges not to send reinforcements to any fort in Charleston harbor, and what demand for reinforcements had been made." The committee was ordered by a vote of one hundred and thirty-three to sixty-two.

It was soon after this that he was made one of the compromise committee referred to by Judge Cooley in the above; but all the devising of other men, to which he could give no consent, came to naught. That bruised reed had broken at last, and could furnish fear no further support. There was no

power in congress to drive treason out of the hearts of the rebels, or to take arms out of their hands, except through the coercion that was afterwards applied. Before this came, the congressional life of Mr. Howard had come to a close. The career that he had carved out for himself during his six years of service had given him a national reputation, while it had cast honor on his district and state. The main labors to which he was called have been already given, but he was a useful member in various ways, giving his vote and voice in favor of many improvements and reforms that need not be detailed in this brief outline of his life. He made himself thoroughly acquainted with the entire system of tariff, and internal revenues, and may be said to have exercised a leading influence in shaping the financial legislation of the period of his service in congress. The part he took in the debates of that body showed him to be a man of power, of culture, and of eloquence.

Mr. Howard returned to his home in Detroit prepared to enjoy the rest he had so well earned, and to give himself once more to his private affairs. But the war came, and he was once more doing all that lay in his power for the good of his country. Physically incapacitated for enduring the hardships of war, he nevertheless threw his whole soul into the Union cause, and by his stirring eloquence did much to fill the ranks of the army when men were needed. He was a strong orator—the greatest stump speaker in Michigan in his day—and in advocacy of the con-

stitution and the Union he found an ample field for the display of his remarkable powers. The key-note to his utterances on various occasions may be found in the following, taken from a speech he delivered at an immense Union mass meeting, held in Detroit on April 25, 1861, after the fall of Sumter:

The present controversy is the grandest that ever took place since the rebel angels were precipitated from the battlements of heaven. War is upon us, and the object of that war is the destruction of the constitution which has existed for seventy-three years. There is no just cause for this insurrection. No man, north or south, can point out one act of the federal government that furnishes the shadow of an excuse for this treasonable rebellion. It is not a time to go back—not a time to discuss causes. It is not a time for delay. Unless men act now and act promptly; unless they come forward now in support of the government, it will be forever destroyed. God grant that my eyes may never behold a destruction of this glorious country by a band of traitors, tyrannical in temper and unreasonable in their demands. The war must be prosecuted with the greatest vigor; the noble institutions of this country must not be overturned by traitors.

Soon after his retirement from congress, Mr. Howard was appointed by President Lincoln postmaster at Detroit, in which position he continued five and a half years, until a refusal to endorse President Johnson and his policy caused his removal. He gave up the office willingly, as he cared far more for his convictions than for place. In 1869 he was named by President Grant as minister plenipotentiary and envoy extraordinary to China, and confirmed by the senate, but on mature reflection declined the appointment.

He was one of the prominent figures in the Republican party all through the later years of his life, and had a voice

of influence in its councils. In 1860 he was chairman of the Michigan Republican state central committee. He was a delegate to the National Republican convention that nominated Grant in 1868, and also to that of 1872, wherein that eminent American was endorsed by a renomination. He was a delegate-at-large to the national convention at Cincinnati, in 1876, that nominated General Hayes, and had a potent influence in bringing that result about. He had gone to that great gathering with a preference for another, and was the chairman of the Michigan delegation. That delegation had voted during four ballots for Mr. Blaine, and on the fifth Mr. Howard arose and changed the vote of the state to Hayes. State after state followed in the wake, and the result had no sooner been announced than the Ohio delegation rushed across to Michigan, and pressing around her chairman, thanked him again and again for that decisive movement which had won for Ohio the day. Mr. Howard was made one of the committee to wait on General Hayes and acquaint him with his nomination. Before the adjournment of the convention Mr. Howard was called upon the platform, and made a speech full of humor and eloquence, and that went through the columns of every newspaper in the land.

Before touching upon the final public labor of Mr. Howard's life, a glance should be given at some other avenues of usefulness that had been opened before him. In 1869 he was appointed land commissioner of the Grand Rapids & Indiana railroad, and upon entering on

the duties of that position removed to Grand Rapids, which was thenceforth his home. The road crossed Michigan through its western portion, at the Indiana line, and was carried on up to the northern boundary of the lower peninsula; and from the start gave promise of the great thoroughfare it has since become. Its immense tracts of unoccupied land were to be disposed of, and it was no small labor to which Mr. Howard had applied himself. In addition, Mr. Howard was appointed land commissioner of the Northern Pacific in 1872, which position he held for several years. He resigned the position of land commissioner of the Grand Rapids and Indiana in 1876, although still acting as attorney for General George W. Cass and Thomas A. Scott, trustees for the landholders of the Grand Rapids & Indiana road.

Mr. Howard was married in 1841, to Miss Ellen Jane Birchard, daughter of Matthew W. Birchard of Detroit. His wife survives him and four children, Mrs. Thomas J. O'Brien of Grand Rapids, Michigan; Mrs. John S. Riddle of Erie, Pennsylvania; Mr. William S. Howard of Grand Rapids, Michigan, and Mr. James B. Howard, of Duluth, Minnesota.

Mr. Howard joined the Presbyterian church on his arrival in Detroit, and was an influential member of that society until his removal to Grand Rapids.

At the time of his death he and Mrs. Howard were members of the Metropolitan church of Washington, where their Christian life made an excellent impres-

sion upon the many who knew them, and held them in high esteem.

Mr. Howard gave liberally to churches—notably to the Metropolitan church of Washington, D. C., the two Presbyterian churches of Grand Rapids (the First and Westminster), and the Congregational church at Yankton, Dakota. He gave much of his time for several years, as well as considerable of his means to the placing of Olivet college on a firm basis; and at his death left considerable legacies to different missionary and other religious societies.

Although Mr. Howard was often spoken of, and endorsed by long editorials in the Michigan newspapers, for nomination to the governorship and for election to the United States senate, he made no effort for either position, and seemed willing to come to the front only on such times as he could be of especial use. His appointment by President Hayes to the governorship of Dakota, in 1877, came to him unsought, and, in fact, was made while he was earnestly at work in the interest of another, whom the President had decided he would not appoint. The position was accepted mainly because he thought the bracing climate of the territory would have a remedial effect on his health, which was growing worse as the long years of labor began to tell upon him. He was commissioned governor on March 15, 1878, and on the twelfth of April took the oath of office and entered upon the discharge of his duties. Accompanied by his wife he proceeded to Yankton, and made that place his resi-

dence during the remainder of his life. His record as governor was such as might have been expected of one whose public life had been that described in the above. He made the interests of the territory his own, and sought to administer his trust for the highest public good. His aim was to build the territory up so that it might at the proper time take its place as a state, to develop its material resources and give it a right start along the line of educational and social reform. His fame had preceded him, and he was welcomed heartily to his new labor and new home. "Governor Howard is aged and venerable in appearance," said a leading Dakota newspaper in chronicling his arrival. "His hair and beard are snow white, and his face bears the mark of time. He leans on a cane when he walks, and is not as lively in his movements as when he first appeared upon the public stage as the champion of right and the enemy of wrong. His manner, his face, his pleasing address and dignified bearing, all commend him to the strangers in whose midst he is so suddenly placed in an official capacity." Governor Howard's first message to the territorial legislature was a modest document, full of sound sense and practical suggestions. It showed that he had learned much of the territory and of its needs during the short time that had been at his disposal. In commenting on his message, one of the leading newspapers said :

In our opinion Dakota cannot wholly reimburse Governor Howard for his efforts in behalf of the insane. It can pay him back the money he has ex-

pended from his private funds, but there is a deeper debt of gratitude which will stand forever to his credit on the unbalanced pages of the great ledger of the commonwealth.

There were many ways in which he worked for the good of the territory. He succeeded in funding the public debt ; he took part in various movements for the development of agriculture ; he made occasions on which to tell the people of the east of the advantages offered by the great and new northwest. He took an active part in political matters and in aid of the Republican party, because he believed in the principles of that party. He worked, in all ways, for the good of the people committed to his care, and was willing and faithful until the end.

The time began to draw near when with him it was no longer day. The warnings were more and more frequent. His strength wasted away, and duties that had once been so lightly borne became burdens. In December, 1879, he received a more direct intimation than any that had yet befallen him. While seated at his desk he was seized with a severe pain in the region of the heart, which speedily extended through all the cavity of the chest. The pain increased in severity until the sudden agony which came upon him forced the perspiration from every pore, and left him weak and trembling. He had been attacked by neuralgia of the heart, and, although the result was not fatal, it left its mark upon him. He was advised by his physicians to try the effect of travel and a change of climate. Accompanied by his faithful wife he paid a visit to the

old home in Michigan, and from thence proceeded to Washington. He grew no better, but, on the contrary, began to show marked signs of failing strength, and he was soon compelled to take to his bed, in the National hotel. No one understood his condition better than himself, and he was among the first to realize that recovery was impossible. Some ten days before the end he remarked that death was approaching, and freely conversed with the dear ones about him concerning it. To one he said, "I was born in poverty, and my mother had a struggle against it through all the years of my young life. I have been sick a great deal, but I can truly say that mercies have been scattered all along. Goodness and mercy have followed me all the days of my life, and my only regret is that I have not been more perfectly transformed." He was conscious to the last, and during the few final days he suffered considerable pain, which was lessened as the end approached. His last audible words were expressive of a hope that he might survive until the arrival of his two daughters, but their train only just reached the depot at the moment he was breathing his last. He passed out of this life and into the next as peacefully as a child falls asleep. The end came at 8:40 on the morning of April 10, 1880.

The news of his death caused profound sorrow wherever he was known, tempered with the reflection that he had gained where the world had sustained a loss. Many expressions of sympathy came from all parts of the land. The funeral was held on the evening of the

tenth, at the National hotel. The exercises were conducted by the Rev. Dr. Chester, pastor of the deceased, while the Rev. Dr. Sunderland of Washington delivered an eloquent and pathetic address. "Far up among the northern hills, and under the shadows of the Green mountains," said he, in the course of his address, "he and I, with many of our comrades, pursued our student life. More than forty years ago we separated from our *alma mater* and went out to taste the wide experience of the world. There he and I too found the mothers of our children, and the true companions of our lives—to both of us, as time has proved, the greatest boon of heaven. How scattered and gone are those companions of our early days! Out of them all, during all these years, it has fallen to me to be more in personal contact with Governor Howard than any other of our former associates. During his service in the congress of the United States, through all those trying times antecedent to the war, he was an inmate of my family, in this city, and so it has turned out that but a week ago we had our last interview. He was then sitting in his chair with a brief comparative respite, but still in great weakness. It was of necessity a passing moment. We talked only of essential things, and that which filled our thoughts was the heavenly courtesy and the house of many mansions, toward which he was rapidly approaching. And then we prayed to go there, as we had often done far back when we were college boys. The gold was not dimmed, nor the fine

gold changed, through all the vicissitudes of intervening years. Only then did it seem more bright, more precious, as he was already on the verge of the eternal world."

There were many friends present, among them President and Mrs. Hayes, members of the cabinet, and others high in station and fame. The Michigan congressional delegates, with Judge Bennett, delegate from Dakota, acted as pall bearers. The beloved remains were then conveyed to Detroit, and reverently laid away to rest in the beautiful Elmwood cemetery.

After what has gone before it, it is needless to quote the expressions of sorrow and the tributes of praise that were heard on all sides as soon as it was known that he had passed away. The press of Michigan and Dakota vied with each other in doing honor to his memory. Many memorial resolutions were adopted, and many letters of sympathy were received by the mourning wife from all portions of the land.

Of William A. Howard's character as a public servant and a man, much indeed might be said, but a few words must suffice. As a public speaker he had few superiors. Terse, earnest, and with a splendid memory added to wonderful powers of analysis, he was a foeman worthy the steel of the most valiant of those pitted against him. Above the medium height, with a massive head, keen penetrating eye and well set under jaw, one might see at a glance that he was no ordinary man. Quiet and somewhat reserved in manner, he was still a genial and social man, with a mind

full of knowledge that was ever open to the demands of those about him. He never could have held the positions that were conferred upon him, nor commanded so wide an influence among his fellow-men, had he not been an able man in the broadest meaning of the term, and one who kept thoroughly abreast with the times. He fully met all the demands of public trusts. He was thoroughly honest, not only in the material things, but in his beliefs, convictions, and in the very fibre of his being. "In speaking of the life and public services, the private virtues and Christian character of William A. Howard," said one who knew him well, "no exaggeration is necessary, for fervent in his patriotism, earnest in his love of country, sincere in his friendship, and spotless in all the relations of social and private life, the truth, as to him, is enough. He was firm in his convictions, honest in his purposes, and unswerving for the right. He was uncorruptible, and the record of his public services is a proud legacy for his children; but to my mind it was in the walks of private and social life, and as a God-fearing, God-loving man that the character of Governor Howard shone most resplendent. He was mild, genial, ever pleasant, and never lost his temper. He had a nature chaste, refined, but unostentatious in his manners and mode of life, and with a heart ever open to the appeals of the distressed. I never knew him to give a negative answer to an appeal for aid from one who was worse off than himself; and many are the hearts that have been made to rejoice by his unheralded

charities." Touching the final work of his life, and the manner in which it was performed, let the following from a leading journal of Dakota stand sponsor :

It was Governor Howard's pride that he was here to mold this future empire, and had Providence spared him for the work he would have infused into the structure the teachings of his ripe experience and the products of his superior wisdom and judgment. To Governor Howard we had learned to look with an abiding confidence in the formation of plans for the future. He has been taken away, and we cannot expect that his place will be wholly filled. Instances are rare wherein men of his standing and ability have been induced to accept territorial appointments. He consented to become our governor because he was ready to retire from the arena of political and business life, yet desired to be in a position where he could exercise his faculties of heart and mind for the welfare of his fellow men. Of world's goods he had enough, and the salary was no inducement—it has been mostly given to deserving poor in our territory.

Turning from these sincere and truthful words of praise, this brief memorial can be closed in no more fitting manner than by quoting the words uttered by Mr. Howard himself to a friend, when on a bed of sickness that he thought might be one of death, showing the light esteem in which he held himself, and the foundations upon which he based his

Christian faith: "It is surprising," said he, "on looking back to see how little human life amounts to—how little has been accomplished. As the world goes, I have had a measure of success. In pecuniary matters, I can leave my family comfortable, though I have passed through all stages of experience in this regard, from childhood up. I have also had a measure of success in political life, not because I had any eloquence—for I had none—but because I believed with all my heart what I said, and the people were moved because they felt a sympathy with me in my convictions of the truth. I never went before the people with a lie in my mouth.

"I find a man may be in the church in good standing forty years and not be able to look upon a single act of his own that will help to justification with God ; he has forty years to ask pardon for, more than he had before. There is nothing to rest upon but Christ, and how inexpressibly sweet I have found it to rest upon that rock, as I have lain here for weeks facing death."

HENRY K. JAMES.

BELA HUBBARD.

BELA HUBBARD, a son of Thomas H. and Phoebe Hubbard, was born at Hamilton, New York, on the twenty-third day of April, 1814. He attended the local schools until he was prepared to enter college, when he matriculated at Hamilton, from which institution he was graduated with the class of 1834. Natural taste and ability, encouraged by a home environment exceptionally stimulating, and developed by close application to his college work, gained him a high standing in his class, and, when his course was completed, he left his *alma mater* with an education available, exact and thorough, in science, the classics and the field of English literature. The day had not yet come when a half score of smatterings could weigh against one mastery; a college course, to the diligent and studious, was an intellectual grounding and discipline which, if it did not send the student into the world hopelessly "finished," laid open before him every possible field of self culture, with the training and discipline within himself to work out his own future.

During his college days, as later in life, Mr. Hubbard's greatest interest was centered in the study of *belles lettres*. The old time "classical course," which still holds its own at Hamilton, offers the most rational and efficient training in English letters, carrying the student

by logical steps from an appreciation of the Greek masters and the immortal works of the Augustine age, to a loving familiarity with the greatest writers of English, from Chaucer to our own contemporaries. In such a school as this, Mr. Hubbard enlarged a nice, critical taste, and developed his natural capacity for literary expression, until was formed the simple and chaste style which in after years made his treatment of the most ponderous subject a delight to the literary sense of his reader.

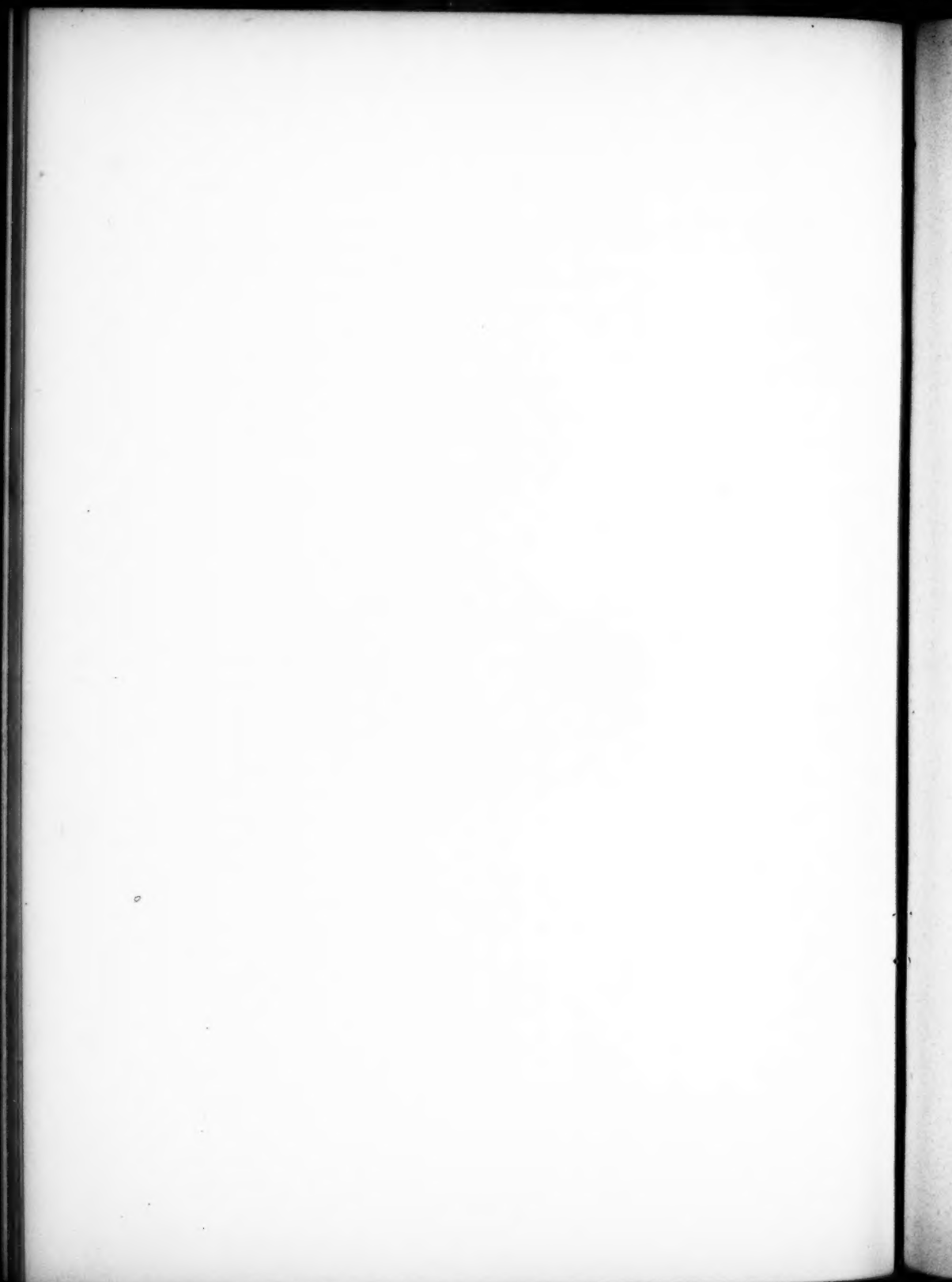
At the time of Mr. Hubbard's graduation from college, Michigan was the most promising field for investors and the Mecca of young men in search of a fortune. Judge Hubbard, his father, had accumulated a considerable fortune at the bar, but he fully appreciated the advantage of the new territory as a field for the talent and energy of his son, and threw no obstacles in the way of the westward impulse which seized Bela soon after the completion of his course. As a consequence, Bela "moved west" during the year 1835, and reached Detroit at the height of the tide of immigration which followed the completion of the Erie canal. Very early in the history of his Michigan residence, he began making real estate investments for his father, and it was not long before his own accumulations were similarly directed. The lands purchased were



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Yours truly
Bela Hubbard

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almost uniformly wild and unproductive, and bought solely upon the faith of the future.

Among his own early purchases was that of a wild farm from Whitmore Kuaggs, upon which he settled as a practical farmer. This was a tract of land of somewhat more than two hundred and fifty acres, situated in the township of Springwells, having the narrow frontage upon the river common to the old French farms, and extending inland some three miles. The farm then was very nearly in a state of nature. Mr. Hubbard has held a large portion of it for more than fifty years, and has lived to see it included within the limits of the city of Detroit, and dotted with houses.

When Mr. Hubbard left the east he was enthusiastic over the possibilities of his mission, and especially over his prospects as a farmer, predicting, in a half serious way, the great things he would surely do by the application of scientific methods to agriculture. To the circle of affectionate friends about him, these sanguine predictions made by a town-bred, bookish youth, formed the subject of much good natured railery and even after he had lived a year in practical contact with country life, a facetious friend circulated a story to the effect that Bela, after selecting his crop with a careful view to its scientific fitness to the soil, after preparing his ground with a punctilious application of the latest principles of scientific ploughing and harrowing; after attending to every preliminary—save one—with the most scientific accuracy, failed of a crop be-

cause he forgot to put in the seed. This may be a mere envious slander, but we know that the college-bred boy found a happy Tusculum upon the wild farm in Wayne county, Michigan, and that not only did he successfully cultivate his own acres, but that no man in all the commonwealth has done more for the cause of intelligent and rational farming than has he.

When young Hubbard went to Michigan, less than forty years had passed since the territory had passed from the English to the American rule, and this period had been broken by the term of English occupation after Hull's surrender. But ten years had elapsed since the completion of "Clinton's ditch," had opened a practical waterway to the sea board and given Michigan its first substantial impulse. Stevens T. Mason, the boy governor, was in the executive chair; the dispute between Ohio and Michigan for the possession of territory embracing the site of Toledo, was unsettled. The vast area, including the upper peninsula of the present state and a great and ill-defined region beyond, was attached to the territory for the convenience of government. The population of Detroit was but little more than five thousand persons.

Few people then foresaw for Michigan other than an agricultural destiny. The vast forests were only unhappy obstacles in the path of the plough; the wealth of iron, copper and other minerals in the bowels of the upper peninsula lay unknown and unsuspected. In the month of December, 1836, the famous "Frost Bitten convention" met

at Ann Arbor and made its presumptuous and unauthorized concessions to the proposals of congress, by which the territory of Michigan relinquished its claim to the contested ground along the Ohio line, and gained its statehood and the unguessed wealth of the northern peninsula in exchange.

With rare wisdom, the legislature of Michigan included among its earliest acts provision for a state geological survey, and appointed the distinguished Dr. Douglass Houghton state geologist. The scanty appropriation originally made prevented the making of more than a limited reconnoissance during the first year but Dr. Houghton, who was the projector of the survey as well as its head, so pushed his preparations that an expedition was organized, fitted out and, before the state was eight months old, left Detroit for its arduous and difficult duty. To this expedition Mr. Hubbard was appointed with the rank of assistant geologist, and his services were continuous until the abandonment of the survey in 1841. In a paper read before the Wayne County Pioneer society in 1872, Mr. Hubbard gives a quaint and interesting description of this first expedition, some portions of which I cannot forbear to quote, so well do they express the slender resources with which a vast work was begun and the physical hardships which it involved. Mr. Hubbard says:

It is my intention to relate some incidents of a trip, or short campaign, if I may so term it, made in the fall of 1837, for the purpose of an examination of these springs,* and such other geological discoveries as might be made in the country traversed by those

great natural highways, the streams tributary to the Saginaw. The party consisted of four individuals: Dr. Houghton, the state geologist, and three assistants—Mr. C. C. Douglass, the writer,—and a dog. The latter was no inconsequential member of the corps, and had, like the rest, his appointed duties to perform. Dash was his name, indicative also of his nature. This was before the days of railroads, although the young state had already projected its magnificent schemes of internal improvements; for a considerable portion of our contemplated route there were no highways but the streams. Our plan was to reach, by private conveyance, some point on the Shiawassee river, where we could embark in a canoe and descend to the Saginaw. Loading into a wagon at Detroit our few traps, which consisted of a tent, provisions, and ax and a gun, in the afternoon of September 13, 1837, we proceeded as far as Royal Oak, where we encamped by the roadside in the independent mode common to immigrants of that period. To the writer, the situation had the charm which youth always finds in novelty. I will not detain you with incidents, and will only name the few villages through which we passed. . . .

At Byron we exchanged our wagon for a canoe and commenced a descent of the Shiawassee river. From Byron to Owasso, about twenty miles direct (but many more by the course of the stream), our way lay mostly through lands more heavily timbered, but varied with openings and occasional plains. Through this part of the country roads had been opened, and settlements made rapid progress. We were now to make our way by the aid of the current, but that meant not all plain sailing nor luxurious enjoyment. The river was interrupted by numerous rapids, of difficult if not dangerous navigation, and over these shallows we had to drag the canoe. As this necessitated going into the water, we were provided with water-tight boots that turned up to the thigh. At the approach of night a favorable landing was selected and a new division of labor took place. While one cleared the spot and pitched the tent, another cut wood for the fire and a third prepared the evening meal. Your humble servant being installed in the ancient and honorable dignity of cook, had this duty to perform. Any one who has sweetened his food with the sauce of hunger, knows how little culinary art is requisite to satisfy famished guests. Indeed, a piece of fat pork, fried upon a stick over the camp fire, after hours of labor in the wilderness, is a morsel sweeter than any which the pampered epicure knows. To this standard dish, our one gun enabled us to add such small game as we chose to take the

*The salt springs of the Saginaw valley.

trouble to obtain. But my position also involved a duty which might be supposed of less easy accomplishment, viz: the cleaning of the dishes. Fortunately I was permitted to make free of the assistance of the fourth member of our family. Dash, being properly educated to this service, was not allowed his own dinner until he had thoroughly and impartially scoured over the plates and saucepan. After this operation, a simple rinsing in the clear water of the river constituted all the additional operation that the most fastidious could demand.

It is not consistent with the purpose, or the limits of my sketch, to follow by quotation the story of this expedition. During its course the adventurers defined the southerly half of the coal basin of Michigan, reached the new Saginaw "City" on the twenty-third day of September, examined the salt indications in the vicinity, pushed on through virgin wilderness, and made a similar examination upon the Tittabawassee, subsisting mainly upon camp biscuit and game, for Saginaw, though a city, had no pork. Thence they descended the river and made a perilous canoe voyage in Saginaw bay and Lake Huron, a distance of one hundred and fifty miles, to Port Huron, which point was reached on the twelfth day of October, after severely suffering from cold and hunger and the encounter of serious peril of shipwreck in the tempestuous autumn weather. During the entire voyage from Saginaw to Port Huron, but one white settler was seen.

I cannot, however, pass from Mr. Hubbard's simple story, without transferring to these pages his pen picture of Dr. Houghton, between whom and himself grew up a warm and affectionate friendship, such as rarely exists between men. He says:

"Though nearly a generation has passed since the death of Dr. Houghton, no doubt most of those here present will remember the peculiar characteristics of one not easily forgotten; his diminutive stature, his keen blue eyes, his quick and active motions, the strong sense and energy of his words, when dealing with matters of science, and his undaunted perseverance in carrying out his designs. They will remember, too, his love of fun and his hilarious manner of telling a comic story. Of such he had a large fund and a happy way of using, preserving a grave countenance until he got through, and then joining in the laugh with a peculiar cachinnation, so contagious as to be alone sufficient to set everyone in a roar. He was no carpet knight of science, and on his geological excursions never flinched from hard work and exposure. On these occasions he usually wore a suit of grey, the coat having large side pockets, and hanging loosely upon his small frame. The hands and feet were very small, but the latter were encased in boots that came almost to his thighs. His shocking bad hat was broad brimmed and slouched, and his whole appearance was that of a battered, weather-worn backwoodsman.

"I remember meeting him a few years later, when his scientific mind and energetic body had unravelled the mysteries of the mineral region of Lake Superior, and when the new fame of that region had called hosts of scientists to those yet wild shores. He had just landed at Eagle river, fresh from one of his rough expeditions, and was at once hailed and surrounded by men known over the whole world for their scientific learning, to whose figures and bearing his own presented a striking contrast. Yet these men bowed to his superior knowledge—sagacity I might term it—and one of them frankly said, in my hearing, that 'the little rough-looking doctor carried more true knowledge in his cranium than all the big heads put together.'"

Mr. Hubbard's connection with the survey was of an important and independent character. His mental discipline, scientific knowledge, trained powers of observation and buoyant physique made him very exact and effective in field work, while his literary skill rendered his records and reports exceedingly valuable. His special reports to the state geologist are embodied

in every annual report of that officer, from that covering the expedition described until the financial collapse which followed in the path of the wild internal improvement schemes and the wilder banking of the day left Michigan insolvent and compelled the abandonment of the survey. His first report bears date January 26, 1838, his second January 26, 1839, his third January 12, 1840, and his fourth and last February 1, 1841. During these years Mr. Hubbard shared in much of the work done by Dr. Houghton and his increased staff in various fields, including the upper peninsula, but his independent work consisted of a survey of the organized counties of the state, with a view to fixing their geological characteristics, and especially to ascertaining their wealth in metals, coal, and other useful minerals. His reports cover thorough examinations of the counties of Wayne, Monroe, Lenawee, Hillsdale, Branch, St. Joseph, Cass, Berrien, Washtenaw, Oakland, Livingston, Barry, Clinton, Shiawassee, Genesee, Lapeer, St. Clair and Macomb. They sufficed to set doubts very definitely at rest, and not only to direct mining and similar enterprises where profit was possible but, not less important, to repress them where they were certain to be fruitless.

The state geological survey ended, for the reason stated, with the work of 1840. Dr. Houghton procured a Federal contract for the making of extensive surveys in the upper peninsula, and it was while so engaged in the service of the government that he uncovered the wonderful wealth of the Lake Superior region, and

at last fell a victim to his own daring and over zeal. During the autumn of 1845 he remained too long in the wilderness, was taken ill by reason of exposure, and while being conveyed homeward in a canoe was drowned by the upsetting of his boat on the thirteenth day of September, 1845. Mr. Hubbard was not connected with this later work of Dr. Houghton, but in association with C. C. Douglass collated the notes and classified the specimens collected by the doctor during his last expedition, and made up a posthumous report which carried the life record to its close. He was, however, while Dr. Houghton was in that field, engaged in a private exploration of the Lake Superior region, with a view to investment in mineral lands, and frequently met his old chief.

During the year 1845, Mr. Hubbard, in connection with William Ives, deputy United States surveyor, took a contract to make a government survey of several townships in the Huron mountain district, and his incidental geological work added greatly to the sum of scientific knowledge of that region.

The same causes which led to the relinquishment of the state geological survey, gave Mr. Hubbard ample business occupation of a peculiarly difficult and harassing nature. The land purchased for his father and largely added to upon his own account was nearly all quite unproductive. The enormous outlay made for internal improvements had outrun the development and tax paying capacity of the state. Both the state and its subordinate municipalities were

crippled, and in no position to extend indulgence to their debtors, while money, even for the commonest needs of life, was almost unattainable. To tide over this period and pay the taxes upon large tracts of land was the work to which Mr. Hubbard addressed himself and in which he succeeded, after a most trying struggle, holding his land where many were compelled to relinquish everything. Some of his friends say that had Michigan been spared this ordeal of its early days, Mr. Hubbard would never have been a business man, but would have devoted his life to the more congenial pursuit of science and letters. Be this as it may, the success which he won as a business man not only added to his fortune, but is another demonstration of his many-sided ability and power of self-adaptation.

When left stranded by the failure of the state geological survey, Mr. Hubbard first turned his attention to his father's profession—that of the law—studied it in the office of a Detroit practitioner, and was admitted to the bar in the year 1842. He practiced for a time in partnership with Charles Collins, but for the greater part of his brief legal career quite alone. It was then as natural for a bright Michigan man to make his living by land dealing as for a Cape Codsmen to turn to fish, and it was not long before Mr. Hubbard found it wise and profitable to give up his young practice and devote his attention entirely to the business of buying and selling land, which came to him quite spontaneously. As the agent of eastern investors, he thus conducted transac-

tions enormous in the total and vastly profitable to himself, and laid the foundation of the business which has more than any other engaged his time and contributed to his fortune. At the same time, as always, he clung to his own land investments and increased them whenever his means and opportunity offered.

This continued to be Mr. Hubbard's business occupation until about the year 1854, when he formed a partnership with Mr. John E. King and established mills for the manufacturing of pine lumber at the foot of Sixteenth street, in Detroit. This business was continued for twenty-five years or more, and until the premises were sold to the Union Depot company, in 1881. While it continued it was the largest of its kind in Detroit, but it did not divorce Mr. Hubbard from his first love for real estate, but rather forced him deeper and deeper into that interest. Hubbard & King bought large tracts of timber land, "logged" them, sawed the logs, and then, instead of allowing the denuded acres to revert to the state, paid their taxes and sold the lands gradually to settlers. This policy—which was very different from that of most lumbering concerns—proved very profitable, and, by force of circumstances, made the firm dealers in real estate as well as in lumber.

Since the sale of his mill and lumbering interests Mr. Hubbard has devoted himself almost exclusively to dealing in real estate upon his own account. The active charge of this business is now relegated to his son, Mr. Collins B.

Hubbard. With a firm faith in the future of Detroit, Mr. Hubbard constantly buys large tracts of suburban property of the best class, lays it out in lots and streets, builds large and pleasant houses upon it and sells them, only to buy again and repeat the process. It is only just to say that nearly every dollar of Mr. Hubbard's great fortune is the increase of his own earnings, his participation in his father's estate having been of the slightest and only realized of late years, when he had already accumulated ample wealth.

While living upon his farm and fighting his early business battles, Mr. Hubbard won the strong and important social position which he has always retained. Those were days when society was far more dependent for pleasure and profit upon the personal qualities of its members than now. There was no railroad communication, giving easy change of scene and daily bringing new men and new ideas into the community; books were few and expensive; public entertainments rare and indifferent; houses small and purses slender. People knew each other with an intimacy very rare in these more complex days. A valuable adjunct to the social and intellectual life of Detroit at that time was the the Young Men's society, founded in 1830. Of this Mr. Hubbard became a member and was president in 1845, when the presidency was a high social honor. Old citizens tell today how the hall was always thronged when he lectured, and the audience delighted by his thoughts and their elegant and classical expression. In debate he

did not shine. His was the talent of the essayist, not the controversialist. He might have followed Irving; never Webster.

In the meantime, as a farmer, he had lived down the good-natured jests of his friends and had gained a reputation by success in the most advanced and liberal methods.

An amusing incident of Mr. Hubbard's early life, in Detroit, was his military experience during the "Patriot War." Pending the excitement of the year 1838, he was one day walking on Woodward avenue and watching the drill of some newly levied recruits, who were to assist in maintaining the neutrality of the United States, menaced by the Canadian uprising. As he was passing on, the officer in command accosted him and announced that he was drafted for the service. Mr. Hubbard answered that he would consent to serve if he could have an office. The officer thereupon replied that the then incumbent of the first lieutenancy had no sword, and, if the new recruit could procure one, the office should be vacated in his behalf. Mr. Hubbard borrowed a sword, assumed his office, took shipping with his company and went to Fighting Island, where a vain search was made for filibusters, after which the force returned to Detroit. Mr. Hubbard was drafted for two months, but his actual service occupied but one day. Nevertheless he received eighty dollars, a lieutenant's pay for two months, and some months later received a warrant for eighty acres of government land, being his share of the bounty lands voted by congress to

those who served in the war. For a brief and bloodless experience, his service was thus quite profitable.

In 1848 he was one of the organizers and officers of the Michigan State Agricultural society, which held its first fair in Detroit, during September, 1849. He was not contented that the society should find its mission in the holding of "pumpkin shows," and, at a meeting of the executive committee, held at Detroit, on the nineteenth day of December, 1849, offered the following resolution :

Resolved, That our legislature be requested to take such legislation as shall appear necessary or expedient for the establishment of a state central agricultural office, with which shall be connected a museum of agricultural products and implements, and an agricultural library, and as soon as practicable an agricultural college and a model farm.

Mr. Hubbard supported his resolution at some length, making an especial point of the history of the Royal Agricultural Society of England and its allied agencies. At a later session the resolution was adopted, and Mr. Hubbard was made chairman of a committee to prepare a memorial to the legislature embodying the prayer of the society. This memorial is from his own pen and bears date during the following month. It so clearly and forcibly set forth the benefits certain to accrue if the desires of the committee were carried out, that the legislature in April, 1850, passed a joint resolution directing the senators and representatives of Michigan in congress to procure legislation appropriating large tracts of public land for the establishment and maintenance of the agricultural office, museum and college,

and from this action resulted the later establishment of the institutions, which are now among the most justly prized in Michigan's grand educational system. Thus did the college-bred boy, who was laughèd at by his best friends when he "turned farmer," perform the highest service ever done by any man to the cause of Michigan agriculture.

Mr. Hubbard has always retained a lively interest in agriculture, in the noble institution of which he is the father, and in the state society. In 1849 he read a prize essay before the last named, entitled "Essay on the Proper Improvement and Enjoyment of Country Life." This production is a prose pastoral, written by one who rarely combines the ability to see and to improve the practical opportunities of bucolic life, and to surround it with an imaginative atmosphere worthy of Erasmus Darwin. In striking contrast is his address delivered before the same society in 1854, in which he traces the history of agriculture from the remotest days, and points the lessons of the centuries by copious modern illustrations and statistics. In the year 1854 the Agricultural society included in its records and republished the geological reports of Mr. Hubbard, already referred to, thus showing their high appreciation of the practical value of his work.

Mr. Hubbard was one of the original trustees of the Michigan asylums for the insane and the deaf, dumb and blind. He was eminently a working trustee, and was influential in shaping the organization and the policy of these admirable institutions. His term of

service covered a period of several years, during which many of the reports to the legislature came from his pen.

He was one of the original members of the Wayne County Pioneer society and of the State Pioneer society. He has contributed papers of great value and interest to both. That on the French *habitans* of Detroit, which is published in the collections of both the state and county societies, is among the most important.

Upon the occasion of the celebration of the second centennial of the naming of Lake St. Clair (or, more properly, St. Claire), he delivered the principal address of the day, James V. Campbell reading a poem, and a hymn by D. Bethune Duffield being sung by the assembly. An elaborate scientific address, on the climate of Detroit, illustrated by tables showing rainfall, precipitation, etc., was read by him, in 1872, before the Detroit Scientific association, and published in the columns of *The American Medical Observer*. A still more elaborate and erudite production of his pen related to the work of the mysterious race of mound builders, and is entitled, "Ancient Garden Beds of Michigan." It was first published in *The American Antiquarian* during 1874, and was subsequently read before the Detroit Scientific association and the State Pioneer society. It is elaborately illustrated with sketches from his own pencil.

These are but a few of Mr. Hubbard's literary works, the total of which is voluminous, of wide range and always dis-

tinguished by accuracy, scholarship and an extreme beauty of literary style and finish. He has now in press a volume entitled, 'Memorials of Half a Century,' which will be published by an eastern firm. It is by far his most important work.

In 1842 he was for a short time editor of the *Western Farmer*, published at Detroit.

Mr. Hubbard is a Democrat in politics, but has never been an active partisan or the holder of a political office. He has been frequently called upon to serve the public interest in matters municipal and charitable, and has always promptly responded. In 1841 he was appointed one of a committee of two to investigate the origin, administration and condition of the land trust originally committed to the governor and judges. After nearly two years of hard work, the committee was able to disentangle the maze in which the conflicting action of the trustees had involved the land plan and titles of the city, and to report the present intelligible and regular system of lot numbering.

In 1859 he was president of the Young Men's Benevolent association, an offshoot of the Young Men's association, and he has always been liberal, though unostentatious, in aid of charity, both public and private.

In 1869 he became a director of Woodmere cemetery, and was one of the committee of citizens who recommended the purchase of Belle Isle for park purposes. He is also a director of the Michigan Fire and Marine Insur-

ance company, of John S. Haines & company, lumbermen, and of the Detroit Sanitarium.

Mr. Hubbard has always felt great interest in the progress of American art. He himself possesses no slight skill with the brush and pencil and there is now preserved a lifelike portrait of his younger brother, Mr. Robert T. Hubbard, which he painted in his youth. He was one of the gentlemen who supported the first Detroit Art Loan exhibition, and later each gave the sum of one thousand dollars in aid of the permanent art building, the erection of which is now ensured.

In 1884 Mr. Hubbard caused to be executed, at large expense, artistic colossal statues of Cadillac, La Salle, Marquette and Réchard, which he presented to the city of Detroit, and which now stand in niches on the easterly and westerly fronts of the city hall.

On the second day of March, 1848, Mr. Hubbard married Sarah E. Baughman, a woman of rare sweetness, amiability and mental timbre. During the war she was president of the Detroit Ladies' Aid society, and in 1866 published anonymously, through Harper &

Brother, the successful novel, "A Hidden Sin." This was republished with equal success in England, but the secret of its authorship was closely kept until after the writer's death. Mrs. Hubbard also anonymously published several other stories.

Mr. and Mrs. Hubbard had eight children, of whom five are living.

Mr. Hubbard is now seventy-two years of age, vigorous in body, considering his years, and clear and serene in mind. His estate, husbanded by his care and judgment and increased by his business success, is a very large one, securely invested and easily administered. He has largely retired from active life and lives in his beautiful home, surrounded by the books he loves and secure in the respect and friendship of his fellow-citizens and the love of his inner circle of intimates and kindred. Few men have won success in so many diverse fields; few so fully deserve the encomiums well epitomized by an old acquaintance who said: "Mr. Hubbard is a man of remarkable ability and marvelous versatility. He is exquisitely fine in feeling, spotlessly pure in thought, absolutely honorable in act."

- W. B.

MEMBERS OF THE MICHIGAN BAR.

HON. ORLANDO M. BARNES.

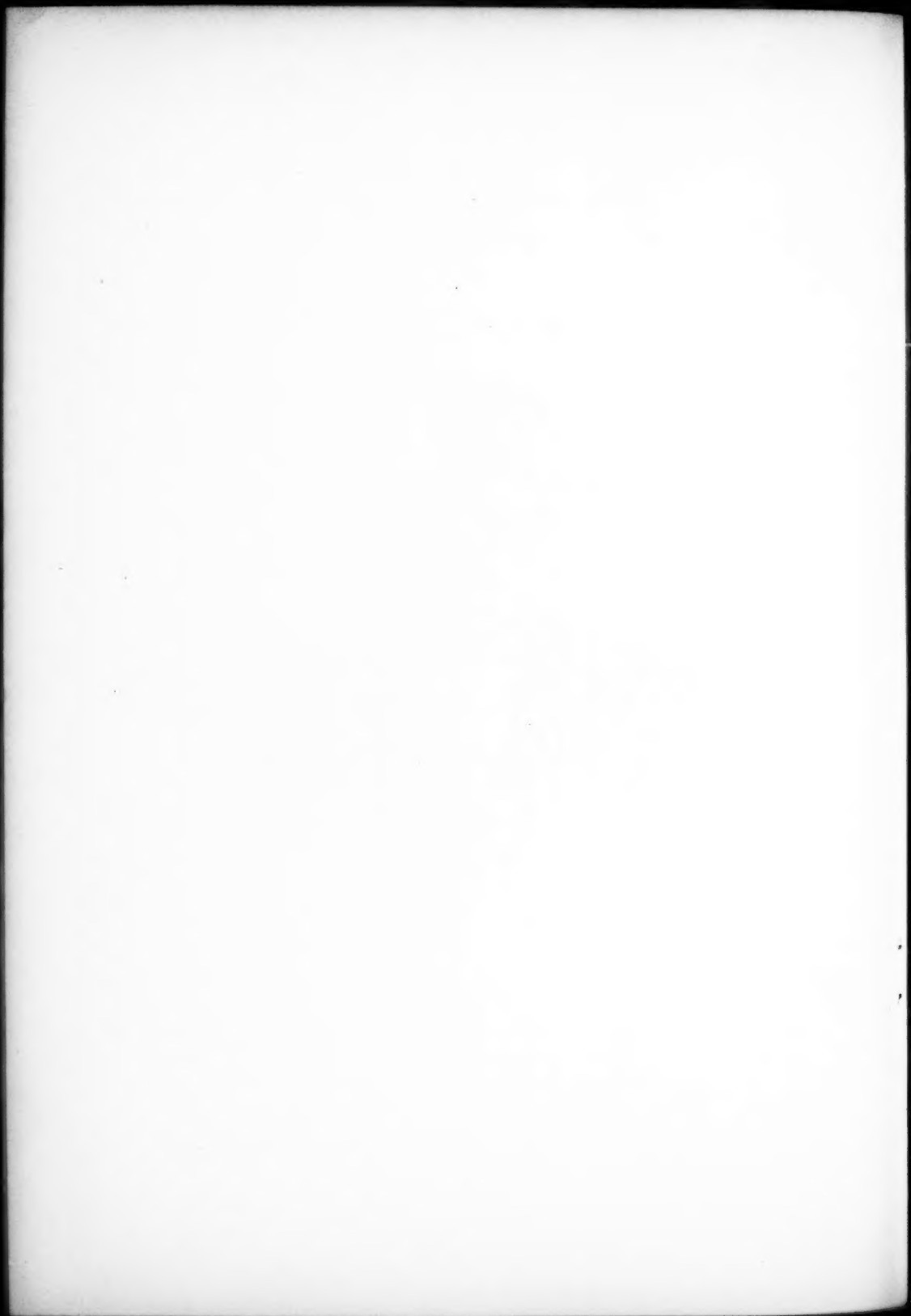
A prominent figure at the bar of Michigan for many years was that of Orlando M. Barnes, who was, in the early days, a resident of Mason, but who has of late years been an honored and influential citizen of Lansing. During the years of active practice he was counted among the best lawyers of the state and of the west; but other and more lucrative fields of labor claimed him. In them he has won success, and the abundance of his power and depth of his intellect are shown in the fact that one who was great in the field of law could command the highest results as a railroad man and a financier. All that he has won, however, has come as the result of his own labor, as a glance at his life will show. The record is one worthy to be preserved.

Mr. Barnes was born at Cato, New York, on November 21, 1824, the son of John and Anna Barnes, and traces his family line directly back to John Barnes, one of the early Pilgrim Fathers who landed at Plymouth Rock. In many of his moral and mental characteristics he shows the impress of this sturdy and honorable ancestry. In June, 1837, his parents removed to Michigan, and settled at Aurelius, Ingham county. The son was given the usual course in the elementary schools of the day, and afterwards en-

tered the University of Michigan, from which he graduated with honors in 1850. Having by this time fully discovered the bent of his mind, he decided to give his life to the profession of law. He devoted one year to preparatory study, and was then admitted to the bar. He opened an office at Mason, the seat of Ingham county. He soon won an enviable position and a large practice, not through accident or the help of others, but because his native powers and habits of life and labor were such as to command success. He gave a strict attention to all matters of business entrusted to him; he had a thorough knowledge of the law; and, in addition to all, his mind was of a strong, legal cast. He soon found himself sought by positions of public trust, and had he been willing in those days to so far forego the demands of his profession as to take a personal interest and ambition in public life, there is no telling to what high political positions he might not have been called. In 1853, on the death of the prosecuting attorney of Ingham county, he was appointed to fill the vacancy. Upon the expiration of that term Mr. Barnes' course was approved through an election direct to the office, while he was again indorsed by a reelection in 1854. On retiring from this service he devoted himself with renewed energy and interest to



Very Truly Yours
O. W. Barnes



general practice, and soon stood in the front rank of the lawyers of Michigan. He was retained in nearly all the important cases that came to trial in his part of the state during the years of his practice, Judge Longyear, late United States judge for the eastern district of Michigan, usually being called on to confront him on the other side. Many a sharp legal battle has occurred between the two.

Mr. Barnes' career at the bar was continued until 1867, when he turned his attention exclusively to another line of labor, in which he has made his powers most ably felt. He left his practice in order that he might devote his entire time to the Jackson, Lansing & Saginaw railroad, an enterprise that has done much for the material development of Michigan, and that has been of immense benefit to the three cities embraced in its name, and to all the country through which it runs. He became secretary of the company and its general counsel and attorney. He became its managing director in 1869, and held that responsible position through 1870 and 1871. He also became its land commissioner in 1869, which office he yet holds. The lease of the road to the Michigan Central relieved its officers from its management, but has left the office of land commissioner one of great importance. Mr. Barnes has filled it with good results to all interested and with honor to himself. Its duties demand not only a thorough knowledge of law but great business judgment, prudence, and administrative ability. All these Mr. Barnes possesses in a

marked degree ; and to them is added an honesty of purpose and expression that gives him the confidence of all with whom he has to deal.

Mr. Barnes has aided the business interests of Lansing, which has been his home since 1874, in many ways through his capital and personal energy. He is president of the Lansing National bank and of the Lansing Gas Light company, and has interests in a number of enterprises needless to mention here.

While Mr. Barnes was never an office-seeker, in any meaning of the word, but has rather sought to remain in private life, he has not altogether succeeded in avoiding the demands of public duty, but has on several occasions been compelled to come to the front and do his share. In 1862 he was elected a member of the state legislature, and while there was looked upon as one of the leaders of the Democratic side. Although in a minority, he was able to accomplish some valuable results and to aid the public interests of his state in more ways than one. One of the measures to which he gave especial care, and in which he had an unusual interest, was the procuring of the application of the grant made by congress for agricultural education. He favored giving it to the Michigan Agricultural college. This was done and the institution has since become one of the greatest and most successful of the educational institutions of the west. This had his special care during his legislative career. In 1877 Mr. Barnes was elected mayor of Lansing. His administration was marked by the inception of

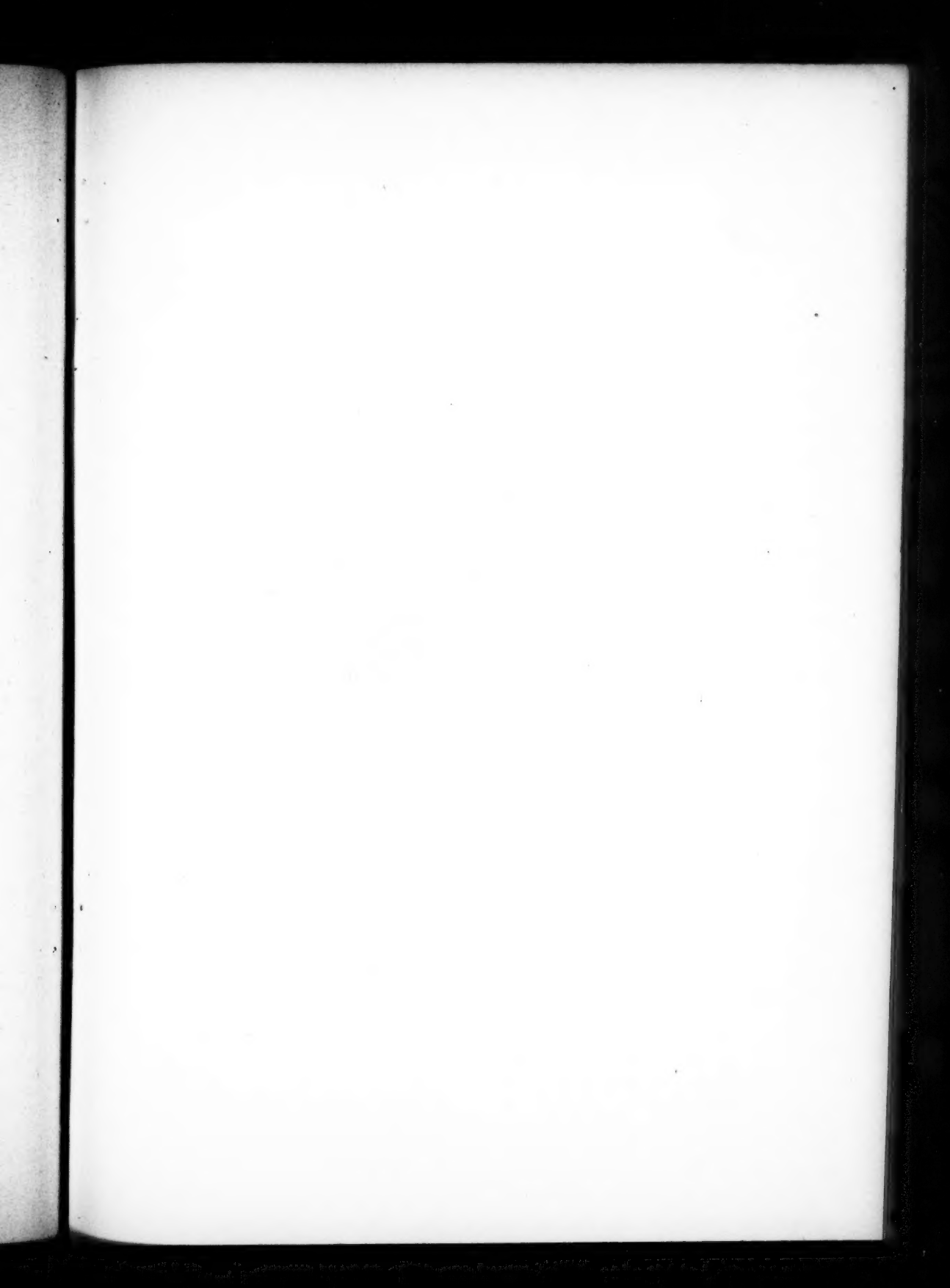
many measures of permanent importance to the city. The next year, 1878, saw him the candidate of the Democratic party for the governorship of Michigan—a candidacy he had not sought but which came to him at the unmistakable demand and wish of the Democracy of Michigan. Although the state in those days was strongly Republican, and the opposition was divided into Democratic and Greenback parties, Mr. Barnes made an admirable canvass and secured a much larger vote than had been thought possible even by those who best knew his popularity and personal strength. He was made a member of the Democratic state central committee in 1880, and was chosen its chairman, holding this position until 1884, when he declined a reelection. He was a delegate-at-large to the national convention at Cincinnati, in 1880; and also a delegate to that of Chicago, in 1884, in the latter acting as chairman of the Michigan delegation. In one of these bodies he from the first favored Hancock, who became the party's nominee; while in the other he pursued a similar course with Cleveland, upon whom the honor of the nomination was finally conferred.

Mr. Barnes is an honored member of the Masonic order; a member of the Presbyterian church, and a friend and patron of many organizations or societies that have for their purpose the relieving of suffering or improvement of human kind. His home is one of the hospitable places of Lansing, and it is there, in the joys of domestic life, and among his books and friends, that he

finds his chief enjoyment, and where he most delights to be. He was married on June 23, 1852, to Miss Amanda W. Fleming, the daughter of John Fleming of Albion. His oldest son, Orlando F. Barnes, has filled the position of mayor of Lansing; his daughter is the wife of Professor George Knight, a member of the faculty of the Ohio State university at Columbus; while his second son, Edward A. Barnes, is engaged in the practice of law at Detroit.

Great as has been the success of Mr. Barnes in the other lines of life he has chosen, and wide as has been his influence for good, it is almost to be regretted that he did not continue in the active practice of a profession for which he was so eminently fitted, and in which he had already won renown. He was one of the leaders of the bar of Michigan even then. He was a close reader and deep student. His legal intellect was of the finest quality. There was no man at the Michigan bar who could more closely analyze a case on the law and facts. "At the close of his practice," remarked one who knew him well, in conversation with the writer of this sketch, "he was on the road to greatness as a lawyer—there is no telling to what eminence he might not have attained. The qualities that made him valuable in one line of life, were of aid to him in the other. When he entered the railroad business it was in the front rank, both as a counselor and as a practical manager of business affairs."

In his personal relations Mr. Barnes is patriotic in principle, social in manner, and generous in impulse and action.





Keynote of Modern History

Mrs L. Webber

He has never sought to advance his own interests regardless of those about him or of the public at large, but the enterprises to which he has given his chief time have been such as to benefit all as well as the few. His heart has been in the good of the city from the first. He is personally very popular with all classes, and is one of the most approachable men living. Kind, helpful to others, generous in thought and deed, liberal in his views and considerate of the beliefs of others, he has won the affection and respect of all, and occupies an enviable position in more ways than one. He is a fine conversationalist and a ready and entertaining public speaker. He is by nature a statesman rather than a politician. Had he been the latter, many a high official position would have been open to his reach. He was prominently mentioned in connection with President Cleveland's cabinet, and his own indifference was the chief thing that stood in the way of his selection. His political beliefs are based on study and investigation, and in them he is deeply grounded as a matter of principle and faith. One of Mr. Barnes' strongest mental traits is such as can with profit be observed by all who desire to make a success of life: whatever he undertakes to do, he does with all his might. He lays out his plan, masters his forces to the work, and sees it through to the end. Nothing that he undertakes is too small to do well; and doing the commonplace things in this manner, it need not be said that the great ones find the same treatment at his hands.

WILLIAM L. WEBBER.

The larger part of that growth which has made Michigan the great and rich commonwealth that it now is, has occurred within the lives of men who are now useful and conspicuous figures on the scene of action. In no better way can the lines of development through which the state has advanced be measured and understood than by following them along the lives of the men who found the two peninsulas but mere wildernesses of forest a half century ago, and have brought forth the hidden riches that are seen to-day. That Michigan had some copper and a great deal of pine, was known fifty years ago; that she had iron and salt, and a hundred other things she is now producing, was not known. The young men who took possession of her interests two decades ago or more, are the ones who have made her what she is, and it is but mete that to each should be awarded a proper share of the glory that belongs to all.

No consideration of the forces that have made the northern half of the lower peninsula what it is, could be possible without some reference to the gentleman whose name may be found above—William L. Webber of East Saginaw. He united his fortunes with those of that city and of the Saginaw valley over thirty years ago, and from that day to this has been a steady and consistent friend of every public improvement and every movement that had for its object the general good. Full of faith, energy and courage, moved

by a better impulse than self gain, and with a vision that could see far into the future, he has gone ahead as a living, moving force that found satisfaction only in beneficial results. Self has been a secondary consideration; and as he has advanced in other things, he has also gained in the confidence and good will of those about him. The outline of his life, as given below, will be found to possess more than a mere personal interest, as it throws light on the general advance of Michigan during the last forty years.

Mr. Webber was born in the town of Ogden, in Monroe county, New York, on July 19, 1825, the son of James S. and Phoebe (Smith) Webber. The father was of Maine birth and the mother of New York. In 1835 the elder Webber paid a visit to Michigan, and decided to make it his future home, removing his family to Hartland, Livingston county, in 1836, where a location was made on a farm that had previously been entered at Detroit. The boyhood of the subject of this sketch was passed as was that of most farm lads in those rugged pioneer days, when Michigan was much nearer the frontier than it is at present, and the advantages of the American youth were by no means what they are to-day. He had no lack of exercise, but aided in the clearing of the land and the redemption of the soil to the uses of civilization. Loving books and having a thirst for knowledge, he made excellent use of such educational advantages as came in his way. He attended winter school when possible, and pursued his

studies at home as opportunity offered. The philosophical and logical bent of his mind was thus early shown by his choice of studies—his preference being given to algebra, geometry and the natural sciences. In 1844 and 1845 he made practical use of the knowledge he had acquired by such closely-applied methods, and taught school in the neighborhood of his home. In the year last named the death of the mother caused a separation of the family, and the young man went forth to meet the world on his own responsibility. He decided upon the study of medicine, and entered the office of Foote & Mowry, at Milford, Oakland county, where he remained two years, gaining an insight into a science that has no doubt been of great value to him in the operations of later life, although he never gave himself to medical practice. He had by this time discovered the real ground upon which nature intended him to strive, and whereon he has won such success, and he determined to turn his attention to the law. But before giving himself fully thereto, he spent two years in teaching a select school at Milford, urged thereto, doubtless, by the simple fact that he was obliged to find his own means as he went along. He gave his leisure time to the study of his chosen profession, and in 1851 was admitted to practice. He opened an office in Milford, but soon discovered that only a meagre field of operations could be there afforded even to the best and the most successful. In casting about for a final location, he visited East Saginaw, and was so impressed

with its advantages and so won by the promise of its future that he decided to make it his home, and opened his law office there on March 15, 1853. He has since been a constant, valued and honored resident of the place.

Mr. Webber took a leading place in his profession almost from the start. He had not been in East Saginaw six months before he had all the business he could attend to. In connection with the practice of law he, like many others in a like beginning, became agent for several insurance companies. The legal business of the Saginaw valley in those days was confined to fewer hands, proportionately, than at present. Judge M. S. Green, now of Bay City, Michigan, was then the circuit judge, and held court at the present county seat, Saginaw. Judge John Moore, and Judge Jabez G. Sutherland, author of 'Sutherland on Damages,' and Mr. Webber were the principle members of the Saginaw county bar. Moses Wisner of Pontiac, who afterwards became governor of the state, and William M. Fenton, at one time lieutenant-governor, also appeared at Saginaw to try cases before Judge Green. In those days they had two terms a year, of a week or ten days duration each. Court usually commenced at 8 A. M., an hour was given for dinner and another for supper, while the evening session ran to ten o'clock, or any point between there and midnight. All cases for the term were on call at twelve o'clock on the first day of the term. With this method of labor, and with the quality of the men who led in all the cases on trial, no wonder that those who sat on

the bench in those days can boast that they expedited business at a rate that would astonish and please the tax-payers and litigants of these days. The business of those pioneer days supplied a kind of adjudication somewhat its own—as the questions involved the running of logs in streams, riparian rights, boom rights, etc. Nearly all the lumber was carried in sailing vessels with only a capacity of from one hundred and fifty to two hundred and fifty thousand feet each. There was no small amount of litigation touching lumber contracts, and matters connected therewith.

In June, 1857, Mr. Webber formed a copartnership with John J. Wheeler, for the practice of law, under the firm name of Webber & Wheeler. This continued to December 31, 1860. Irving M. Smith, who was a cousin of Mr. Webber's, went to Saginaw in 1862, and entered his office on a salary. In 1863 a copartnership was formed between the two. Previous to that, however, Mr. Webber had been connected some six months, beginning in 1861, with Bradley M. Thompson and Chauncey H. Gage, under the firm name of Webber, Thompson & Gage. The firm of Webber & Smith came into being in July of 1863, which continued until 1869, when it was dissolved by the decision of the senior partner to retire from the general practice of law, and to enter upon the special line of labor in which he has won such success.

When the Flint & Pere Marquette railroad was begun in 1857, Mr. Webber acted as its solicitor, and on March 1, 1870, also entered upon the duties of

land commissioner of the same corporation. Since then he has devoted himself exclusively to the railroad business. He at present fills the position of general solicitor of the company, but resigned that of land commissioner on June 1, 1885. In presenting his resignation Mr. Webber said :

The greater portion of the lands having been sold, and it being evident that the quantity to be sold will grow less, and that the amount of collections will also continue to decrease, it has seemed necessary to reduce expenses.

Accompanying the resignation was a statement showing the immense amount of business that had been done by the office during his occupancy thereof. He had disposed of three hundred and twenty-nine thousand three hundred and eight acres of land, at an average price of eleven dollars and fifty-three cents per acre. The total amount of these sales, including those of timber and village lots, was \$4,041,839.24. During the fifteen years and three months of his service the collections on account of land, timber and lot sales were as follows : Of principal, \$3,886,351.81 ; of interest, \$553,690.79 ; making a total of \$4,440,045.60. It was, as Mr. Webber's communication at the time well said, a "source of great satisfaction to all connected with the department, not only that the business has been done economically, but that it has been done in such a manner as not, in any way, to prejudice the company with the community, and that during the entire period there has not been one dollar lost to the department by speculation, or otherwise, so far as has yet been discovered."

Mr. Webber has been a director in the Flint & Pere Marquette since 1864, and has in many ways been of great use in making that railway line a source of benefit and growth to East Saginaw and the whole of northern Michigan.

From 1855 onward Mr. Webber acted as attorney and solicitor for Mr. Jesse Hoyt, the proprietor of the plat of East Saginaw, as long as he remained in active practice. After that he held the position as friendly advisor. Mr. Hoyt was a large shareholder in the Flint & Pere Marquette railroad, becoming its president in 1875, and continuing that position until his death in 1882. When the road was reorganized in 1879 and 1880, Mr. Webber was solicitor for the bondholders, and filed the bill, and procured the appointment of a receiver. The company, after reorganization, chose Mr. Hoyt as president and Mr. Webber as solicitor. When Mr. Hoyt made his will, in 1882, he named Mr. Webber as executor and trustee for all his property in the lower peninsula of Michigan—a possession that was appraised at between three and four million dollars. The confidence reposed in Mr. Webber by his friend and associate is shown by the largeness of the trust reposed in his hands ; and the absolute belief held in his business ability and honesty, and the full extent of that confidence, with all that it implied, can be best understood from the fact Mr. Hoyt entrusted the care and disposition of this vast property absolutely to the discretion of Mr. Webber, and without bonds, vesting him fully with the title and authorizing him to continue all business enterprises until

in his judgment the same could be advantageously closed.

Mr. Webber is still acting under the will, and it is needless to say to those who know him that the confidence of the deceased has been fully justified, and that these vast interests have found themselves in faithful and competent hands.

Mr. Hoyt took a large view in all matters that would enhance the interests of East Saginaw, and especially in the reaching out of lines of railroad into the surrounding country. He advanced money and built the branch railroad from the Flint & Pere Marquette at Coleman to Mt. Pleasant, a distance of fourteen miles. A company was formed for the construction of this road, of which Mr. Webber was for some time president. The line was eventually sold to the Flint & Pere Marquette. In 1881 Mr. Hoyt thought it advisable to build a narrow gauge line from East Saginaw northeastward some sixty-seven miles, and running through Saginaw, Tuscola and Huron counties to Saginaw bay. As he was in New York the greater part of the time, and as his health was not good, the main part of this work had to be done by parties on the ground, and Mr. Webber was the most active among them. The "Saginaw, Tuscola & Huron" railroad company was formed for the purpose above named. While subscriptions were taken in East Saginaw and along the line, Mr. Hoyt furnished the greater portion of the money needed. The construction was completed as far as Sebawing before Mr. Hoyt's death. He was president of the

company, and on his decease Mr. Webber was chosen to fill the vacancy. He extended the line to Bay Port, in 1884. In the fall of 1885 a further extension was commenced from Bay Port to Bad Axe, the county seat of Huron county, which was opened for business on July 1, 1886. This gives the company sixty-seven miles of road. During the past winter Mr. Webber has completed and furnished a summer hotel at Bay Port, on the shore of Wild Fowl bay, at a cost of nearly twenty thousand dollars, that is to be managed in connection with the railroad. Near Bay Port are the stone and lime quarries, owned by the Saginaw, Tuscola & Huron railroad company, which promises a large business for the road. The quarry is to become a potent factor in the building world of the Saginaw valley and vicinity, producing limestone for lime and building stone in excellent quality for buildings, grindstones, curbstones, and like purposes. The discovery and opening of these quarries has had a beneficial effect at East Saginaw and vicinity, cheapening building operations very much. This stone and lime business owes its success almost wholly to the foresight and good management of Mr. Webber, who prosecuted it in the face of considerable discouragement.

Mr. Webber has had a marked influence on the material interests of Michigan other than those detailed above. His connection with the development of the salt industry, and in placing Saginaw in the front line of the producers of that commodity, is worthy of more than a passing reference here. When the bill

to encourage the manufacture of salt was passed, 1850, Mr. Webber secured the organization of the East Saginaw salt manufacturing company, the first one to bore for salt in that part of the country. The promptness and enterprise of those who had the matter in charge is shown by the fact that the stock was all placed in two days. Mr. Jesse Hoyt gave the company an option on ten acres of land, he to be paid one hundred dollars an acre if success resulted, and to take it back without charge if no salt was found. He also subscribed to the stock.

Mr. Webber drew up the articles of incorporation for the company, and was its secretary and a director for a number of years. He took a deep interest in its fortunes from the start; and an interesting article from his pen on the discovery of salt was published in the first directory of East Saginaw. The company commenced boring in August, 1859, and found brine in the early part of 1860; the first salt of the Saginaw valley being made at that time. Although such grand results have followed this pioneer enterprise, the company did not prove itself a financial success. Nor could it well have been, in the nature of things. The whole thing was an experiment, not only as to the presence of brine in sufficient quantities but in methods of manufacturing and handling. They attempted the Syracuse plan of boiling by kettles, which was not suitable for this section. They at first bought wood for fuel, but afterwards effected a great saving in that line by the manufacture of salt in con-

nection with the sawmills, thus using up the sawdust and slabs that would otherwise be a nuisance. This salt discovery was one of the most important in that direction ever made in the country, and great credit is due all who had a part in bringing it about.

In politics, Mr. Webber has always voted the Democratic ticket, when he believed it to represent Democratic principles. He has never been an office seeker, in any sense of the word, and such public positions as he has held have come to him by the desire of those about him rather than any action of his own. From 1854 to 1856 he served as circuit court commissioner of Saginaw county, and was subsequently elected prosecuting attorney. In the spring of 1874 he was elected mayor of East Saginaw, and his administration was marked by a quiet vigor that had the effect of discouraging criminals in a very marked degree. There was no public sensation made, and no threats as to what would be done; but the authorities, under the lead of Mr. Webber, kept steadily along the line of reform, and drew the law a little closer every day. There was no retrogression from a step when it had once been taken; and as the evil-doers came to understand this fact, they made haste to mend their ways, or sought a place where they could have more license than was possible there under the new order of things.

In the fall of 1874 Mr. Webber was elected to the state senate from the Saginaw district. He gave his attention to several matters of public moment, among other things casting his vote for

the repeal of the prohibitory law and the passage of one for high license. The twenty-two years that the former plan had held sway had been practically free whisky, and he felt that the time had come for the trial of a new plan. The tax law that then went into operation has proved so great a success that Mr. Webber has never regretted the support he gave it. It was during his term of service that Senator Zachary Chandler was defeated for a reelection to the seat he had held so long—a political event that attracted the attention of the whole country because of the prominence of the defeated, and the causes that led thereto. Mr. Webber was the leader of the anti-Chandler forces, and his management of that little campaign was masterly, and crowned by the most unquestioned success. His other political services have been of signal value to his party. He was a delegate to the Democratic National convention at St. Louis in 1876, and was made chairman of the Michigan delegation. In that body he offered a resolution that was adopted, suggesting to the various state conventions the advisability of abolishing the two-thirds rule. In the fall of that year he was unanimously nominated for governor of Michigan by the Democratic state convention, and decided to accept the duty thus laid upon him. As an exposition of his political principles, and the manner in which he viewed the situation as thus presented to him, I shall take the liberty of quoting the letter in which the action of the convention was form-

ally laid before him, and his answer thereto, as follows:

DETROIT, August 10, 1876.

HON. W. L. WEBBER:

MY DEAR SIR:—I have the honor as president of the Democratic state convention, held in this city yesterday, to inform you that you received the unanimous nomination as the candidate for governor on the Democratic ticket.

It gives me pleasure to say that the good work you so efficiently aided in doing at St. Louis was fully indorsed by the convention, and it seemed eminently fit that you should be selected to lead the canvass in this state.

I have the honor to remain, very truly,

GEO. V. N. LOTHROP,
President of Convention.

EAST SAGINAW, August 15, 1876.

HON. GEO. V. LOTHROP, President Democratic State Convention:

MY DEAR SIR:—I beg leave to acknowledge the receipt of your letter informing me that at the convention held in Detroit on the ninth inst, I received the unanimous nomination as a candidate for governor on the Democratic state ticket.

My personal preference would have been gratified had the choice of the convention fallen upon some one other than myself. I have lived long enough to know that official station cannot of itself confer honor. It affords opportunities, and if the duties be performed wisely and well, the people will give respect and honor.

I know full well the cares and responsibilities which an election will impose, and I do not court them. I recognize, however, the right of the people to call any of their number to serve them in official station, and I accept the nomination. For the very flattering manner in which it was made, and for the kind terms in which you have officially advised me, I beg leave to return my thanks.

But while accepting the nomination in recognition of the principle above stated, I desire to say that I do not regard such acceptance as imposing any obligation upon me to labor for my own election, and, consequently, shall hold myself bound to labor in the political field only the same as any other citizen. I still hold to the opinion, heretofore expressed, that the good of the country would be subserved if candidates would work more efficiently for the people after election, rather than de-

vote their time and strength in laboring for themselves before election.

The principles announced in the resolutions of the state convention at Lansing, in May last, those stated in the national platform adopted at St. Louis, and those in the resolutions adopted by the convention of the present month, at Detroit, have my entire concurrence.

The theory upon which our Republican government was founded, recognizes the people as the source of all power and government as instituted for their benefit and protection. On this theory offices are created and officers chosen only to serve the best interests of the people.

The officers thus elected have such powers and duties only as are prescribed by law; and the exercise by them of powers not clearly conferred by law is a wrongful assumption of the prerogative of the people.

De Tocqueville observes that "men are not corrupted by the exercise of power, or debased by the habit of obedience, but by the exercise of a power which they believe to be illegitimate, and by obedience to a rule which they consider to be usurped and oppressive." I believe this a sound proposition, and the exercise of powers not conferred by law is corrupting to those exercising it, and obedience to such authority is debasing to the people, and I cannot avoid the conclusion that the truth of the proposition is demonstrated by the present condition of affairs.

The protection of the law extends alike to all within its jurisdiction, and if the administration be praiseworthy the power of the state will be exerted for the protection of the rich and the poor, the strong and the weak, and for the punishment of crimes against them with equal firmness and vigor. In the eye of the law all are equal.

The "spirit of party," said by Washington, in his farewell address, to be the worst enemy of a popular government, and against which he cautioned his countrymen, prevails to an extent prejudicial to good government.

In order that no expectations may be disappointed, I wish to say here, that should I be elected, I shall strive to exercise the powers conferred by law on the executive in such manner as will best promote the general good, without thought whether this party or that will be affected thereby.

Very respectfully,

WILLIAM L. WEBBER.

There is a manly directness in the

above characteristic of the man, and some suggestions as well, that others in a like position can well heed and imitate. He had no concealments of opinion, and no need of evasions, and would not make pledges of any character to anyone. If elected he would do his duty to the whole public, and not view himself as merely the head of the Democratic party of Michigan. He kept to his word and made no effort from the stump or platform to gain votes. His course was so well approved that, although he was not elected, the chances of Michigan going Democratic that year being extremely small, he received more votes than had ever been cast for the successful candidate for that office in the state, and more than were given by Michigan for the President elected in the same contest. While an earnest Democrat, Mr. Webber believes that patriotism is above party fealty; has always favored hard money, and, although at times in favor of uniting forces with the Greenback party for results that he believed to be for the public good, has never adopted the Greenback money ideas.

Mr. Webber became a member of Saginaw lodge of Free and Accepted Masons of East Saginaw in 1855, the year of its organization, being the third member initiated. As the two who preceded him have passed away, he is now the oldest living Mason made in that lodge. He was made a Royal Arch Mason in Washington chapter, at Flint, and in 1864 was a charter member of Saginaw Valley chapter 31, organized at East Saginaw. He served

as high priest for three years, and in 1869 was elected grand high priest of the Grand Chapter of Michigan. In 1874 he became grand master of the Grand Lodge of F. and A. M. of Michigan. He is also a member of St. Bernard commandery No. 16 Knights Templar and was eminent commander for one year. He united with the Independent Order of Odd Fellows in 1847. He has also taken a great interest in the promotion of the agricultural interests of the Saginaw valley and northern Michigan, and has been connected with the executive boards of the State Pomological society and of the State Agricultural society, filling the office of president in the latter in 1878-9.

Mr. Webber was married, in 1849, to Miss Nancy M. Withington of Springwater, Livingston county, New York, and two children have been the fruit of that union.

Judged even from this brief and inadequate summary of Mr. Webber's labors, one can see that he stands in the front rank of the busy men of Michigan, and that he has done much for the material and social advancement of that portion of the state in which his lot has been cast. He has been and is a valuable citizen in more ways than one, and as such is universally recognized. He has that happy combination of mental calculation and executive ability which are the surest guarantee of success in any walk of life. He possesses a judicial mind in an eminent degree, and is a logical and lucid reasoner. He won great success at the bar, and had a career before him in that direction

when circumstances and larger advantages led him to devote himself to a railroad and business life. As a lawyer one of his strong points was the attention he gave to details. He was guided by a few general principles, and he worked along them to the result he expected to reach. In making his brief, he reasoned it out on principle in his own mind, and then looked for references in support of his position. He has ever been noted for the possession of a public spirit of the broadest character, and it detracts nothing from the credit due to others to say that he has done as much for East Saginaw and northern Michigan as any other man who has been identified with its history. His whole heart was thrown into the narrow gauge enterprise of which he was the responsible head, as he believed that it was destined to do much for the city's development. Every enterprise in which he embarks has the public good as its chief object. One of his strong points is the certainty with which he can forecast the future; and he never undertakes anything in a haphazard manner. His plans are all made in advance, and he sees the end before he makes the beginning. When he is once committed to an enterprise he sees it through, and has all the courage needed to carry him by any obstacles that may present themselves. He is very exact in all his methods, and those about him or under his control soon learn that all their affairs must be in business shape before passing under his keen eye. Frank and open, he makes his criticism direct to the one who needs it, and does

not employ a devious channel therefor. When men employ their best judgment with an honest purpose, he never finds fault, even though the result is not what he had hoped. He never loses his temper, and is very considerate of those about him. He is generous in the extreme, and does a great deal of good in a quiet way. Those under him have learned to look upon him as a friend as well as an employer. But he will brook nothing that looks like dishonesty.

Mr. Webber is one of the most approachable of men, and the stranger or

poor man has as ready access to his presence or advice as the rich or great. He is intense in his convictions, either in business or politics, and will fight for his side with all the power and valor within him, but if he is vanquished he accepts the results in good faith, and holds no animosity. He has proved himself a man of the highest calibre and genuine worth in every relation of life, and the success and honor he is now enjoying are but the ripe fruits of many years of useful and generous sowing.

SEELYE A. WILLSON.

THE BRUSH ELECTRIC LIGHT COMPANY OF BUFFALO.

JOHN F. MOULTON.

ALTHOUGH the early life of John F. Moulton was spent in the east, and his first years of extensive business enterprise in the west, he has been so long connected with the commercial interests of Buffalo that any mention of the forces at work in the advancement and development of that city to-day with no mention of him would be a mistake. He touches the life of that city at many points, and has made himself felt through numerous avenues of usefulness. He has already accomplished much, and as he is only now in the prime of life, there is no telling what further achievements may await him in the future.

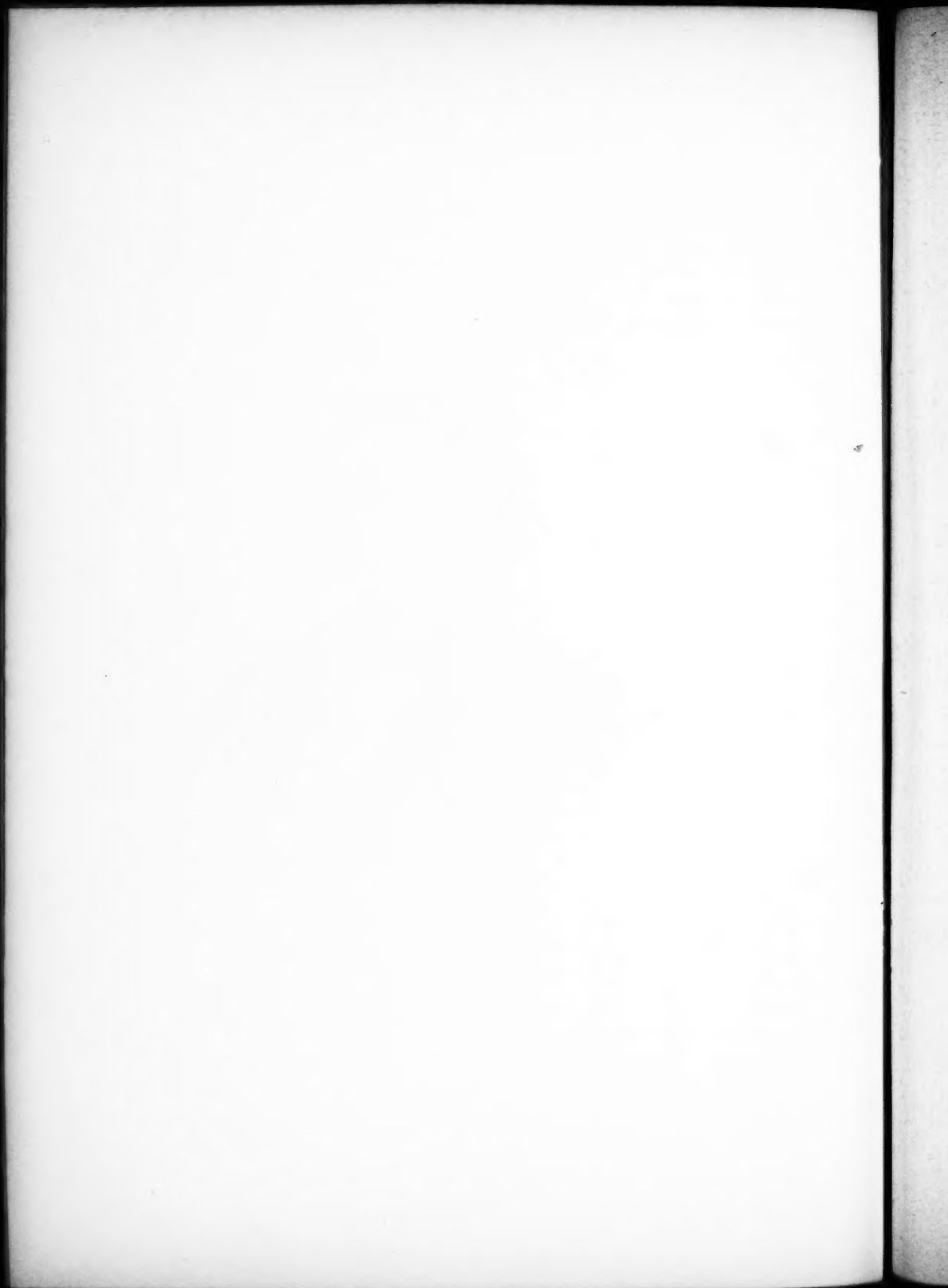
Mr. Moulton, like so many of the men whose lives have been spent in the up-building of the west, came of New

England parentage. He was born on February 3, 1841, at Beverly, Massachusetts, which was also the native place of his parents. His grandfather was Captain Tarbox Moulton, a well known sea captain and ship owner, who lost three of his vessels in the French war of 1812, while his father, Charles Moulton, was a merchant of Beverly. His mother, Abby Cole, was a member of one of the oldest and most highly respected New England families.

The youth had the advantage of the best New England schools, and made good use of them. After securing an excellent English education he engaged, at the age of eighteen, in the mercantile business conducted by his father. The partnership continued for three years, during which he learned much in a



John F. Moulton



business way, and showed the possession of qualities that were certain to make him a success in the world. When twenty-one years of age he determined to do for himself altogether, and being impressed with the opportunities offered by Michigan, proceeded to Battle Creek, in that state, where he engaged in merchandise. He gained an admirable standing from the first, and was soon recognized as one of the live and stirring men of the place. In three years after his location there Mr. Moulton, when but twenty-four years of age, became one of the organizers of the Bank of Battle Creek, and was chosen one of its directors. He was soon engaged in many enterprises having for their object the advancement and development of his chosen home and the country dependent upon it. His energy, activity, and business enterprise and sagacity were marked features from the beginning of his commercial career. He was made one of the aldermen of Battle Creek in 1865, and in that position gave the public the benefit of the comprehensive views and executive energy that had produced such results in his private affairs. In 1867 he was elected president of the Battle Creek Gas company.

At about this time Mr. Moulton became interested in the Peninsula railroad, afterwards known as the Chicago & Lake Huron railroad, a western connection of the Grand Trunk road. The opportunities offered by railroading, and his very evident ability to meet and master all the problems in that new and complex science, led him to further op-

erations in that direction. He secured the contract for building the Buffalo & Jamestown road in New York state, and removed to Buffalo, which has since been his home. He pushed the work forward and completed it in 1875. He was soon afterward appointed its general manager, and in 1878 was elected its president, which position he yet holds. The cost of the road was three million three hundred thousand dollars, and under Mr. Moulton's careful yet vigorous management it has proved one of the best paying lines of the state. As a railroad man Mr. Moulton has shown an admirable combination of financial knowledge and skill, with that executive ability needed to operate a railroad, and has demonstrated the great success that would lie before him were he to abandon all other lines of business enterprise and devote himself to the one of railway management.

Mr. Moulton has touched the business life of Buffalo and western New York on more points than one. His connection with the lighting of Buffalo by electricity, and the advancement of the city along the line of progress to that extent, deserves more than a mere passing reference. The business of electric lighting attracted attention in that city early in 1881. On June 1 of that year the Brush Electric Light company of Buffalo, was incorporated with a capital of two hundred thousand dollars, and the following well known business men of Buffalo became trustees for the first year: James Adams, William B. Sirret, A. P. Wright, H. G. Nolton, R. V. Pierce, Hiram Exstein, R. G. Taylor,

John F. Moulton and George Urban. The officers of the company were John F. Moulton, president; James Adams, vice-president; H. G. Nolton, secretary and treasurer.

The company secured a contract from the city for the furnishing of twelve electric lights on Ganson street, on "the island," in the southern part of the city, where there was no gas, at five thousand dollars per year, and on July 14, 1881, commenced operating the first station. During 1882 two more stations were added in other parts of the city, and about two hundred lights furnished. Experience came with two or three years' operating, and as better methods suggested themselves, the plan of substations was abandoned, and in May, 1884, the company took possession of a new station erected specially for the electric light business, on the corner of Mohawk, Wilkeson and Seventh streets. The building is a solid, substantial brick structure, and has received a vast amount of attention from the electric light fraternity. On the first floor is the boiler room, one hundred and twenty by fifty feet in size. A fine battery of nine one hundred horse-power steel boilers, with space for three more, faces the coal supply room, which has a capacity of nearly one thousand tons. The boilers are all set on the Murphy patent smokeless furnace, made at Detroit, Michigan. By the aid of these furnaces, bituminous slack coal is burned exclusively, absolutely without smoke. The engine and dynamo room, sixty by one hundred and twenty feet, is also on the first floor. Seventeen 65-2000 can-

dle power Brush dynamos form two rows through the centre of the room, and are operated by individual automatic engines of sixty-five horse-power each, of the Westinghouse manufacture. The engines are placed on solid foundations on either side of the room, and connected with dynamos by belts. Fifteen of these machines and engines are used constantly, and two held in reserve in case of accident. A large switch-board at one end of the apartment permits any circuit to be operated by any machine.

The company are now furnishing the city of Buffalo five hundred and forty-six lights for the public streets and parks, and two hundred and eighty private lights—a total of eight hundred and twenty-six lights, and an increase of twenty-five per cent. over a year ago. The business is rapidly growing, and one thousand lights are expected to be in operation soon. It requires nearly two hundred miles of No. 4 copper wire to furnish the above lights; and some of the circuits extending to the city limits are twenty miles long. The present officers of the company are John F. Moulton, president; James Adams, vice president; William S. Frear, secretary; and John M. Brinker, treasurer; and the directors are: John F. Moulton, James Adams, A. P. Wright, Andrew Langdon, Daniel O'Day, R. W. Jones, John M. Brinker, N. C. Scoville and Thomas Langdon. The executive office of the company is at the Coal and Iron Exchange, rooms 5 and 6, No. 257 Washington street. The enterprise is one of natural pride to the city in which it is

located, and has reflected credit on the public-spirited men who brought it into being and have made it what it is.

Mr. Moulton, in addition to the above business connections, is also vice-president of the United States Concave Spring company, and the United States Equipment company, in which offices his rare executive ability found still further scope and gave him an added sphere of usefulness. He has also been largely interested in Colorado mining operations; and is a member of the heavy coal and lumber firm of Buffalo, that of Adams, Moulton & Company, in which his son, Frank T. Moulton, is engaged. It is one of the leading firms of Buffalo and has a large business and extensive connections. Mr. Moulton was married to Miss Lucy O. Giles of Beverly, Massachusetts, who is descended

from an old and respected New England family. Three children have been the fruit of that union, the son above mentioned and two daughters.

Mr. Moulton has well earned the high position he holds in the business world, and the material results he has produced while yet a young man, comparatively speaking, are the fruits of his own ability, energy and wisdom. In his business intercourse with men he is prompt and energetic in manner, courteous to all, bold and vigorous in counsel and decision upon important measures, almost unerring in his judgment of men and measures, and of sterling integrity. In his personal relations he is a true friend and companionable, and loyal to every claim that friendship or duty can make upon him.

THEODORE JOHNSON.

EDITORIAL NOTES.

EXCELLENTLY well written and beautifully printed is the monograph just published in Baltimore, the work of Clayton C. Hall, entitled "The Great Seal of Maryland"—a paper read before the Maryland Historical society, December 14, 1885. It is No. 23 of the Peabody Fund publications.

"Most of the states," says Mr. Hall, "have upon their seals emblems indicative of agriculture and commerce, plenty and prosperity, or kindred subjects, represented in a more or less pictorial or allegorical manner. The colonies that were governed directly under the British crown formerly had seals upon which were symbols of the royal authority; but these were discarded at the time of the Revolution, and in their stead were adopted devices more in harmony with the new order of affairs." But "the Great Seal of Maryland" presents a marked contrast to those of the other states of the American Union in that its device consists of armorial bearings of a strictly heraldic character, being, in fact, the family arms of the Lords Baltimore, which were placed by the first proprietary upon the seal of the province at the time of its founding."

"Maryland," continues Mr. Hall, "like the other states, put aside shortly after the Revolution the seal in use during the colonial period and adopted one supposed to be more in consonance with the spirit of republican institutions; but after a while the historic interest attaching to the old provincial seal came to be recognized, and the ancient coat-of-arms was finally, by legislative enactment, restored to the seal of the state. Interest in the subject has lately been revived by the discovery at Annapolis of the old seal used under the proprietary government of the Lords Baltimore, which was believed to have been long ago destroyed. It is safe to say that the old silver

seal thus recently brought to light is the most interesting, if not the oldest relic of the kind in this country."

"I ENTERTAIN," wrote Washington to Matthew Carey, on the twenty-fifth of June, 1788, "an high idea of the utility of periodical publications; insomuch that I could heartily desire copies of the Museum and Magazine, as well as common gazettes, might be spread through every city, town and village in America. I consider such easy vehicles of knowledge more happily calculated than any other to preserve the liberty, stimulate the industry and meliorate the morals of an enlightened and free people."

THE history of the "Moravian Lands" in what is now Tuscarawas county, Ohio, is an interesting one. After the dispersion of the "Moravian Indian Mission" from the valley of the Tuscarawas river by the English and their several allies, and the killing by Williamson's men of about ninety "Moravian Indians" at Gnadenhütten, in March, 1782, the Moravian church, whose headquarters in America were then (as now) at Bethlehem, Pennsylvania, petitioned congress for a reservation of the lands previously occupied by the mission, which, as was claimed, had been granted them by the Delawares in 1772. On the twentieth of May, 1785, congress passed an act that the towns of Gnadenhütten, Schoenbrunn and Salem and so much of the adjoining land as in the judgment of the geographer of the United States might be sufficient for them, together with the buildings and other improvements, should be reserved for the sole use of the "Moravian Indians" settled there. Subsequently, on the first of June, 1796, further legislation was had making more definite what

had before been enacted. Three tracts of land were now granted, of four thousand acres each, including the sites of the before-mentioned towns, not to the Indians, however, but to the Moravian church in trust for them.

The lands thus granted were soon after surveyed, they being known as the Gnadenhtitten, Schoenbrunn and Salem tracts. A patent was issued for these in 1798, in accordance with the act of congress of June, 1796. The Indians were collected in a new village called Goshen, near the former Schoenbrunn. It was finally thought best that the Indians should be removed and that the church should divest itself of its trusteeship; so, on the fourth of August, 1823, a preliminary step was taken by an agreement on the part of the United States and the church for a retrocession of the lands to the general government. The Indians, by a subsequent treaty, were granted lands in the west in lieu of the three tracts, and also a small annuity. Under an act of congress, of the twenty-sixth of May, 1824, the whole of the "Moravian Lands" in the Tuscarawas valley were surveyed and sold, the purchasers thereof getting patents, of course, from the United States.

"HUNDREDS of families of squatters," wrote James Riley, a deputy United States surveyor, from Fort Wayne, Indiana, on the fourteenth of November, 1820, to Edward Tiffin, surveyor-general, "have settled themselves on the public lands along down the Maumee river; no less than twenty at and about the junction of the Auglaize river, where Fort Defiance formerly stood. That situation is very high and beautiful. The lands in its vicinity are of the best quality. Several thousand acres of prairie, very rich, lie immediately east of that point, so desirable on many accounts; and hundreds of people have called on me this season, in the woods, begging to be informed when the lands at and about Defiance, as well as at Fort Wayne, were to be surveyed and sold, as they are waiting with the greatest impatience to make purchases, either in these towns or vicinity."

DURING the Revolution one of the most disastrous invasions of Kentucky by the enemy was against two stockades (forts) in the "Blue Grass Region." This was in 1780, and proved highly disastrous to the early settlers of that portion of Kentucky. The "Blue Grass Region" is, therefore, historic ground—one of peculiar interest to the student of western history. Strictly speaking, this "Region" is quite extensive; but the term, in a popular sense, applies only to a remarkable body (or area) of land in the heart of that state comprising six or eight counties, the center of which is the city of Lexington. The "Blue Grass Region" is so called because of its being underlaid by a peculiar, decomposable limestone, which gives to its grass a richness and permanent luxuriance nowhere else to be found. This grass, which is indigenous, but not in fact "blue," is propagated without cultivation; comes up thick and juicy early in the spring; ripens in June; renews its growth in autumn, and, retaining its verdure in spite of snow and ice, furnishes pasturage during the entire winter.

SPEAKING of Lexington reminds us that it is the original home of western Masonry. Here was organized the first lodge of Freemasons in the west. It was first known as "No. 25," but afterward named "No. 1." It was chartered by the Grand Lodge of Virginia on the seventeenth of November, 1788.

THE 'Johns' Hopkins University Studies in Historical and Political Science' (Herbert B. Adams, editor), Fourth Series (VII, VIII, IX), is a "History of the Land Question in the United States," by Shosuke Sato. This work was undertaken in pursuance of special instructions from the Japanese government to investigate certain questions of agrarian and economic interest in the United States. The subject has three principal divisions: (1) Formation of the public domain; (2) administration of the public domain; and (3) the land system of the United States. Under the second head, the

author treats of the famous ordinance of 1787, discussing, among other things, its authorship (pp. 104-117). We have here an almost complete bibliography—the names of all those who have written concerning it, and where their contributions may be found.

MR. ANDREW CARNEGIE's generous gift of two hundred and fifty thousand dollars to Allegheny city, Pennsylvania, for a free library and music hall, has been accepted by the authorities of that city. The building will be of granite, fire-proof, and three stories high. The first floor is intended for a library, the second for a magnificent music hall, and the third for an art gallery. On Monday, May 31, the Pittsburgh select council and the chamber of commerce appointed committees to take steps to secure Mr. Carnegie's generous offer of five hundred thousand dollars toward establishing a free library also in that city.

THE name of Joel Barlow—poet, statesman and philosopher—has been “rescued from the waters of oblivion,” very largely by his poem in praise of hasty-pudding, written in Chambery, Savoy, in January, 1793. These are the opening words of “Canto I.”:

Ye Alps audacious, through the heavens that rise,
To cramp the day and hide me from the skies;
Ye Gallic flags, that, o'er their heights unfurled,
Bear death to kings and freedom to the world.
I sing not you. A softer theme I choose,
A virgin theme, unconscious of the muse,
But fruitful, rich, well suited to inspire
The purest frenzy of poetic fire.
Despise it not, ye bards to terror steel'd,
Who hurl your thunders round the epic field;
Nor ye who strain your midnight throats to sing
Joys that the vineyard and the still-house bring;
Or on some distant fair your notes employ,
And speak of raptures that you ne'er enjoy.
I sing the sweets I know, the charms I feel,
My morning incense, and my evening meal—
The sweets of *Hasty-Pudding*.

Now, the critic insists, as hasty-pudding, as an article of food, is passing out of use, that when the last bowl of it has been eaten, the poem will be forgotten. But this is doubtful.

THE city of Alexandria, Virginia, is a port of entry and county-seat of Alexandria county. It is located on the right bank of the Potomac river, seven miles below Washington. The river, here a mile wide, forms a commodious harbor, sufficiently deep for the largest ships. From a Washington letter in the *Chicago Tribune*, we glean some interesting facts concerning this ancient mart, which, a century ago, rivaled Baltimore. General Washington, Governor Lee and other prominent Virginians interested themselves in its early development, and at one time thought it would become a greater city than Baltimore. Its claims were strongly advanced as a suitable place for the location of the permanent seat of the government. A large trade was done with the West Indies and some with China. The country around Alexandria then, for many miles back from the river, was settled by the descendants of the early English colonists, Lord Fairfax owning a large estate. Mount Vernon, ten miles below, was an estate of over six thousand acres, and the Arlington estate, seven miles up the river, contained several thousand acres, acquired by a royal charter during the reign of George II. The Lees, Minors, Botts, Berkeleys, Fitzhues and Dangerfields, all owned large estates and hundreds of slaves, raising large crops of tobacco and wheat, all of which was shipped from this young city. West India rum and fine wines were largely imported; for all the nabobs were high livers and spent much time in entertainment and fox-hunting. But, like many other prominent cities in the early years of the nation, Alexandria failed to achieve the prominence that was anticipated. The causes were many. The channels of trade and commerce turned in other directions. It is now a city of about fifteen thousand inhabitants, and all of its ancient glory is departed.

FROM the fall of 1781 to the fall of 1783, Brigadier-general William Irvine was in command of Fort Pitt, Pittsburgh. This was a very interesting period in the west, and many stirring scenes were enacted which have passed

into history. Letters written to General Irvine during those years, whether from persons connected with the military or residents in civil life in Pittsburgh and vicinity, on whatever subject written, are most certain to contain some information of value. The two following have never before been published:

I.

FORT PITT, January 25, 1782.

DEAR GENERAL:

I beg your interest in getting me the appointment of quartermaster. If any are to be appointed, I may as well continue, unless they [the general government] will pay me off. The public have had all I could spare and my services also; so that, as I cannot get the sum due, I had better continue. I have to go to John Small's to saw the quantity of plank the public will stand in need of. Two-inch plank, twelve and a half and ten inches wide—fifteen thousand feet are what Captain [Isaac] Craig made the bill for and the cash to be paid in the spring. This is to put you in mind of money. As this article [the lumber] will sink nearly one hundred pounds, you will be the better able to judge what sum will be sufficient to carry on business at this post.

From your sincere friend, etc.,

SAMUEL SAMPLE.

II.

JACOB'S CREEK, April 2, 1782.

SIR: After my best compliments to you, I inform you that I arrived safe at Fort Pitt.

At my arrival, I saw the poor man whose name is Robert [illegible], that made mention of to your Honor, concerning a cow that Captain [illegible] took as he came up, with your Honor's baggage; which, from his clandestine manner of taking the cow, it seems that he did not want to make the least satisfaction for the same. As the poor man is in very low circumstances, I hope you will take him under your consideration.

I remain, etc.,

HENRY RHODES.

THE keystone of Von Ranke's method as a historian was, the *St. James' Gazette* says, "the old Benedictine practice of unwearying drudgery. Nothing is too small, nothing too mean or insignificant for the true historian, any more than for the true entomologist." At the same time, it is plain to be seen that many historians fail in properly subordinating minor details to more important ones.

"THE most conspicuous founders," says the *Baltimore Sun*, "of the planter families came

over during the second half of the seventeenth century. One, a very liberal and energetic man, married the granddaughter of Pocahontas, and his son, devoting himself to planting and trading on the James river, found the bulk of his profits in an immense traffic with his relatives, the Indians, who flocked as one man to his support. From this marriage many existing Virginia families are directly descended, and they are proud of their Indian blood. Eccentric John Randolph was a descendant, and was boastful of his relationship with the imperial house of Powhatan, whose grave, by the way, is preserved a few miles below Richmond, and affords a pleasant Sunday afternoon stroll for the citizens. Jefferson also was related to the Indians, but he was careful not to allude in any triumphant spirit to the redness of his blood, being the father of the Declaration of Independence. John Rolfe, the princess' husband, was of Norman descent with William, the Conqueror, in England, and a graduate of Oxford; the specimens of his writings handed down attest both his scholarship and benevolence. He was the first American historian, and as such deserves mention, though his history was short, confined to a brief description, dedicated to the king, of the petty colony; but his fame rests on a larger basis, viz.: that of having been the first tobacco planter; of demonstrating its importance as a vast source of wealth to the future planters. In one of his letters he declares that his main motive in marrying the princess was her religious instruction; whatever his motive, certainly his marriage was a success. His wife's descendants are either so numerous or held in such high honor as to have given rise to the saying outside of the borders of the state, that "Every family in Virginia is descended from Pocahontas." It has been suggested, however, by a Virginia antiquarian, that while the claimants are many, the genuine descendants of Pocahontas are few.

THE '*Bibliotheca Hispano-Americana*' of Beristani de Souza, printed in Mexico in 1816-21, is in three volumes and contains the earliest

list of "Americana" published in America. It covers the writers who were born or who flourished in Spanish America, and of course includes works not relating to the New World. It has become the rarest of all American bibliographical works which have been put on sale.

THE first newspaper printed and published west of the Mississippi was the *Missouri Gazette*. The first number (weekly) was issued on the twelfth day of July, 1808. It was gotten out by Joseph Charless, assisted by Jacob Hinkle. It was printed upon a sheet of foolscap paper, twelve and one-half inches by seven and three-fourths inches, in small pica type, and was worked off on an old-fashioned Ramage press. The paper was published until 1822, when its name was changed to the *Missouri Republican*, under which name it still continues.

MORE than one hundred delegates to the ninth general meeting of the American Library association assembled in Milwaukee on July 7. The president, W. F. Poole, of the Chicago public library, delivered an able address. One among the many effective points he made was this: "What this association has done in bringing the public libraries and the public schools into close relations—the work of one supplementing the work of the other in the general system of education—is an object of sufficient importance to justify its ex-

istence." The session of three days' continuance was one of great interest.

"THERE is," says the Rev. Horace Edwin Hayden of Wilkesbarre, Pennsylvania, "no better stock in America, distinguished as it is by good sense, religious fervor, strong convictions and steadiness of purpose, than the Scotch-Irish." This we believe to be true; and, apropos of this, we may state that Dr. William Henry Egle of Harrisburg, Pennsylvania, has recently published a book of seven hundred and twenty pages, entitled "Pennsylvania Genealogies, Scotch, Irish and German." It contains sixty distinct pedigrees, including seventy families. Forty-five of the former are those of the Scotch-Irish families, and the rest of German and Swiss families. As many of these have a direct bearing upon, and an intimate association with, trans-Alleghany annals, the importance of the work will be readily appreciated by the student of western history.

THE first newspaper published in Virginia was the *Virginia Gazette*, issued weekly by William Parks, proprietor. The first number appeared on the first day of July, 1736. Mr. Parks died in 1750, and some months after his death, the paper was discontinued. It was revived in 1751, the first number appearing in February of that year. The *Gazette* was continued until the commencement of the Revolution.

CORRESPONDENCE

CORRESPONDENCE.

To the Editor of the MAGAZINE OF WESTERN HISTORY:

BANCROFT THE HISTORIAN.

In the editorial notes of the July number of the MAGAZINE OF WESTERN HISTORY, page 411, you correct some errors in 'Bancroft's History of the United States' "relative to Major Robert Rogers' tour to Detroit in 1760, to take possession of that post, etc., etc."

Permit me to call attention to another error of this eminent historian and scholar, who as you justly say "is seldom at fault in statements of fact." In the fourth volume of his 'History of the United States,' page 313, it is said that "the people of *Fredericktown* had chosen him (Colonel George Washington) their representative."

Did the distinguished historian mean *Fredericksburg*, a city on the Rappahannock? *Frederic City* could not have been intended, for that is in Frederic county, Maryland. If he had written it *Frederick county* he would have been correct, for the people of that county (Winchester being the county-seat) did elect Colonel George Washington a member of the house of burgesses of Virginia at an election held July 24, 1758. For proof, see letter of Lord Thomas Fairfax, page 98, in volume entitled 'The Fairfaxes of England and America,' which announced that he was a candidate. He had two competitors but came out the successful candidate, as is stated in foot-note to the aforesaid letter which bore date July 5, 1758.

Colonel Washington, in 1758, was a prominent man in *Frederick county*. He surveyed much of it for the Fairfaxes between the years 1748 and 1752, and soon after Braddock's defeat in July, 1755, he, as colonel commandant, commenced the erection of Fort London in Winchester, for protection against attacks by hostile savages; and after its completion,

late in 1756, he remained its commanding officer, actively as such until early summer in 1758, when, with the provincial troops, he joined General Forbes' army and crossed the Alleghany mountains to effect the reduction of Fort Du Quesne at the head of the Ohio river. Of course, then, he was a conspicuous man in the Virginia valley, and while absent on this expedition to the Ohio country he was chosen *Frederick county's* and not *Fredericktown's* representative in the colonial legislature of the "Red Dominion." And while occupying this seat he, on January 17, 1759, entered into married relations with Mrs. Martha Custis.

J. S.

To the Editor of the MAGAZINE OF WESTERN HISTORY.

April 7, 1787, forty-seven men, under command of General Rufus Putnam, landed on the eastern bank of the Muskingum river, near its junction with the Ohio. They laid out the town of Marietta, the first American settlement in the territory of the United States northwest of the River Ohio. It is proposed to celebrate this event, by holding appropriate memorial exercises in the public schools of Ohio, April 7, 1888. That the children may be prepared to understand the significance of such a celebration, the Ohio Historical society will prepare a brief history of Ohio and will urge the study of western history in the schools for the next two years. Already the teachers are evincing much interest in this commendable movement. We know of no effort on the part of educators of more beneficial importance than this, and one that will arouse greater interest in Ohio's Centennial Exposition. Full information regarding these matters may be had by addressing the secretary of the Exposition Board, Mr. A. A. Graham at Columbus.

A. A. G.

The Magazine of Western History,

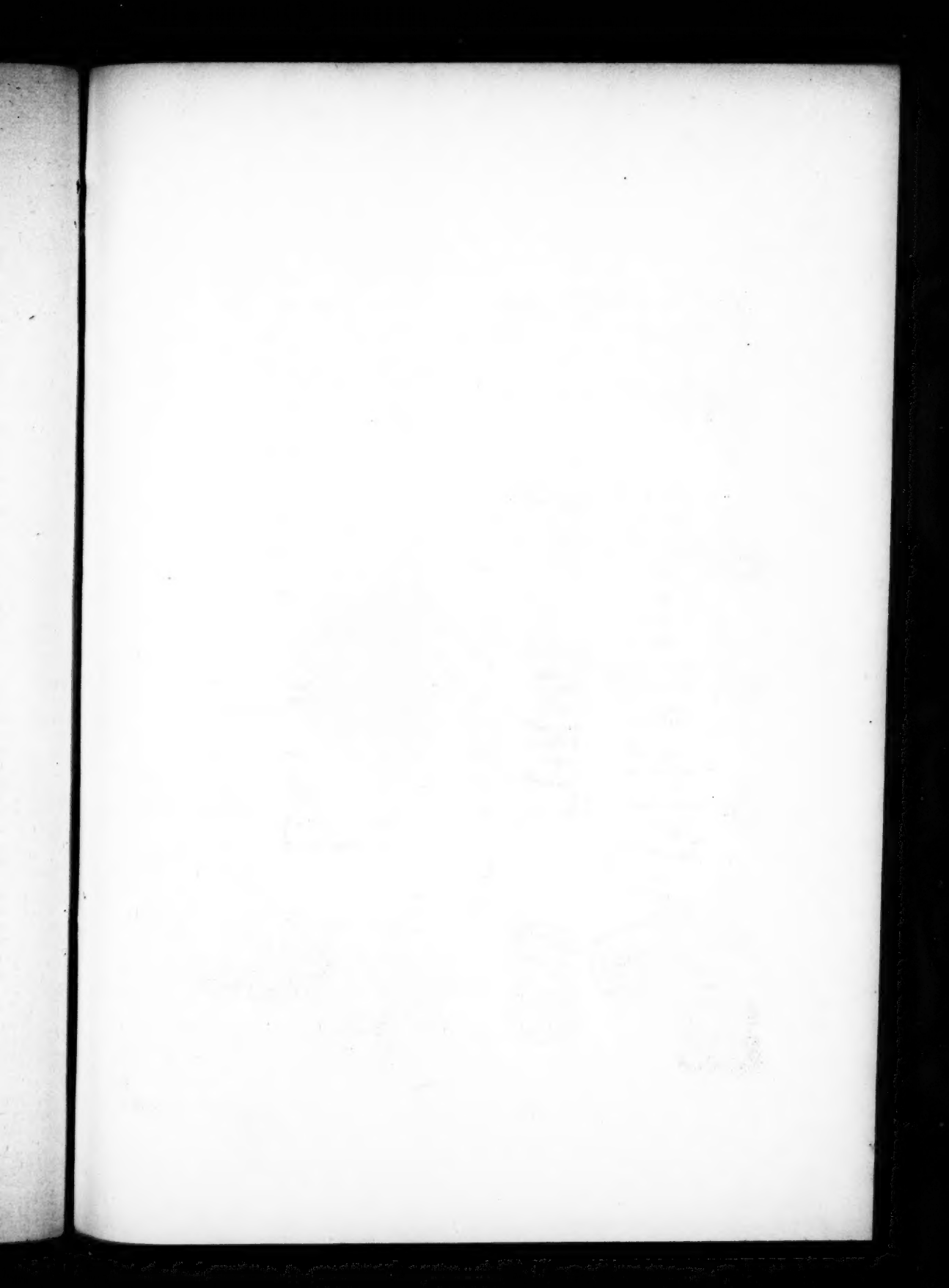
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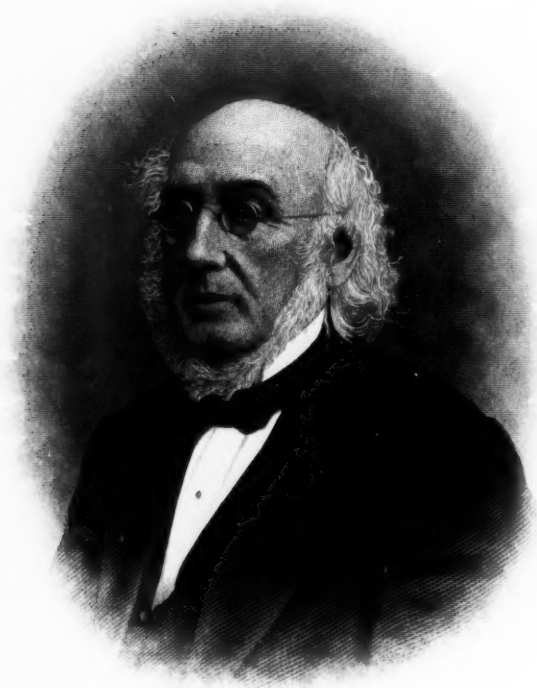
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Stephen Pelch